

1 STATE OF TENNESSEE
2 TENNESSEE EMERGENCY COMMUNICATIONS BOARD
3 DEPARTMENT OF COMMERCE AND INSURANCE
4
5
6
7

8
9 TRANSCRIPT OF THE PROCEEDINGS

January 26, 2006

10
11
12
13
14
15
16
17
18
19
20
21
22 Cannon & Stacy
23 Court Reporters
24 Denise Harwood-Stacy
25 117 Arrowhead Drive
Hendersonville, Tennessee 37075

1 BOARD MEMBERS PRESENT:

2 Mr. Randy Porter, Chair
Hon. Wanda Moody, V. Chair
3 Mr. Charles Bilbrey, Member
Mr. Ike Lowry, Member
4 Mr. Freddie Rich, Member
Hon. Mike Taylor, Member
5 Ms. Katrina Cobb, Member

6

7 BOARD MEMBER NOT PRESENT:

8 Hon. Tom Beehan, Member
Mr. Johnny Vickers, Member

9

10

STAFF MEMBERS PRESENT:

11

Ms. Lynn Questell, Executive Director
12 Mr. J. Don Johnson, Auditor
Mr. Duple Travillion, Governmental External Affairs
13 Mr. Rex Hollaway, Director of E-911 Technical Services
Ms. Sandra Telford, Account Technician

14

15

16

17

18

19

20

21

22

23

24

25

1	TABLE OF CONTENTS	
2		Pages
3	Report of the Executive Director	4 - 13
4	Consider TACIR decision, including forming advisory committees	13 - 24
5	Consider methods to reduce impact of reduction in landlines by providing addition funding to ECDs	24 - 45
6		
7	Consider supporting legislation to impose an emergency communications service charge on VoIP and emerging technologies capable of connecting 911 callers to a PSAP	45 - 47
8		
9	Consider supporting legislation to make 911 tapes self-authenticating in court	47 - 49
10		
11	Consider amending dispatcher training regulations to establish a process for Board approval of course of study programs	49 - 50
12		
13	Consider request for \$40,000 in financial assistance by Dyer and Henry County ECDs	50 - 52
14	Consider request for reimbursement by Eloqui Wireless	52 - 56
15		
16	Consider explanation of Hawkins County ECD for failure to timely file financial statement	56 - 73
17	Consider explanation of Haywood County ECD for failure to obtain GIS Mapping System	73 - 90
18		
19	Consider explanation of Lauderdale County ECD for failure to obtain GIS Mapping System	90 - 108
20	Adjournment	108
21		
22		
23		
24		
25		
26		

1 CHAIR PORTER: Good morning. We'll
2 call the meeting to order, of the January 26th, 2006,
3 Tennessee Emergency Communications Board. It's good to see
4 each and every one of you this morning.

5 Let the record show all members are
6 present except for Mr. Beehan and Johnny Vickers. We do have
7 a quorum. It's good to see each of you back this morning. I
8 hope everybody had a good trip in.

9 We have a fairly short meeting, today.
10 I'm sure that doesn't hurt anybody's feelings. We'll just
11 jump right into it.

12 The first item on the agenda is a
13 report from our executive director, Lynn Questell.

14 MS. QUESTELL: Thank you,
15 Mr. Chairman.

16 I'd like to start with a report on
17 the status of wireless carrier deployment. Cingular has
18 reported that its entire state-wide system has now merged,
19 except for the would-be old AT&T; except for the Memphis
20 market, which is slated to be merged by July.

21 The next item I'd like to talk about
22 is misroutes. Since the last meeting, we only had two actual
23 misroutes, which are calls that were routed beyond the
24 adjoining county incorrectly. One of the calls was from a
25 cell phone in Sevier County that was routed to Morgan County.

1 The other was a call from Lawrence County that was routed to
2 Marshall County. In both cases, the caller was at least
3 25 miles from the tower showing as the originating tower,
4 the pANI. And in both cases, a sector on the tower in the
5 caller's immediate area had been mis-programmed to route to
6 an incorrect PSAP. The tower addresses were also incorrect
7 in that they were both in the county in which the call was
8 received.

9 These were both Cingular customers.

10 And our director of E-911 technical services, Rex Hollaway,

11 was able to help resolve these and get these corrected. So

12 we're very glad about that. And he's going to be doing spot

13 checks just to make sure everything is kind of working

14 properly.

15 I want to report that the route-out
16 issue that we had in Bledsoe County has been corrected.

17 As far as the status of the dispatcher
18 training regulations, they will become effective on
19 January 30th, 2006.

20 I've been told that the Tennessee Base
21 Map Centerline project, they have hired a new consultant,
22 whose name is James Wood. And he's formerly worked for
23 Infocode. And he's going to be acting at the liaison between
24 the districts and the telecommunication company -- well,
25 between the district -- sorry -- and the project.

1 My next item is our initiative with
2 TEMA. Staff has proposed some revisions to TEMA's operating
3 plan for communication that will integrate the Board and the
4 Districts with the TEMA operation. And we presented that to
5 them. And we're waiting to hear what they say about that.

6 I want to report on the status of the
7 funding on the Federal E-911 Act. As you know, last year the
8 E-911 Act was passed. It had a number of grants in it, and it
9 had a proposal to set up a department to monitor -- a federal
10 department to kind of monitor 911 in the Department of
11 Transportation. But Congress neglected to provide any money
12 for that.

13 So before Christmas, Congress passed
14 what's called the "Digital Television and Public Safety Act,"
15 which was the bill that was supposed to provide the funding
16 for the Federal E-911 Act. And the bill was placed on what's
17 called the "Budget Reconciliation Conference Report."

18 As I understand it, what the bill
19 recommended was -- it authorized 43.5 million to fund the
20 ENHANCED 911 Act. And the funds were going to be used to
21 establish an E-911 Implementation and Coordination Office, in
22 the Department of Transportation, and a matching grant
23 program. And the funding was supposed to come from the
24 proceeds of a spectrum auction, to be held by the FCC, which
25 was going to happen starting on February 28th, 2008. And the

1 spectrum that was going to be sold is now reserved for
2 TV Channels 52 to 62 and 65 to 67; and Channels 64, 68, and
3 69 were supposed to be used for public safety purposes.

4 Well, as I understand it, the funding
5 is still not final because it's going back and forth between
6 the Senate and the House. They made changes. They each had
7 to have something to say about it. So right now, it's just
8 kind of sitting there.

9 Nothing happened when they went into
10 the December recess. I've been told that the bill should be
11 voted on by the end of the month and they anticipate it will
12 pass. But we're still waiting for that.

13 And if you'll remember, this is the
14 one that Senator Frist did the colloquy that would make
15 Tennessee equally eligible for these grants as other states
16 that haven't done the right thing like we have and set up a
17 true 911 system. So I'll keep you-all posted as the grant
18 funding becomes available, if and when.

19 The Voice over Internet Protocol
20 legislation, as you-all know, Bart Gordon has sponsored some
21 Voice over IP legislation to settle FCC jurisdiction and to
22 assure the implementation of 911 to Voice over IP customers.
23 And both the House and the Senate, they proposed Voice over IP
24 legislation. The House bill is still in committee. The
25 Senate bill was placed on the legislative calendar. And what

1 that means is, it's there so that it can be introduced and
2 voted on by the full Senate. But that hasn't happened yet.

3 The FCC's order on Voice over Internet
4 Protocol deployment of 911, I noticed that a couple of days
5 ago there was actually oral argument on this issue. There's a
6 number of Voice over IP providers that are appealing the
7 FCC order that required the implementation on 911. This is an
8 appeal in the D.C. Circuit. And the main argument put forth
9 by the Voice over IP providers is that the FCC's deadline --
10 which, if you remember, was November 28th, 2005 -- was
11 arbitrary and capricious because it was unfair not to treat
12 Voice over IP deployment like they treated the wireless
13 industry. And you know, the wireless industry was given a
14 much greater period of time to deploy 911. So that's one of
15 their arguments.

16 And they're also arguing that it's
17 arbitrary and capricious for requiring them to establish
18 direct connections with dedicated wireline E-911 network,
19 without any corresponding duty on the part of carriers
20 operating that network to permit such connections. I know
21 that's a real issue with certain Voice over IP providers.

22 The Petitioners in this case are
23 Nuvio; Lightyear Network Solutions; Primus Telecommunications;
24 Lingo, Inc.; and i2 Telecom International. None of the
25 really, really big ones.

1 The petitions by the wireless industry
2 to waive the wireless deployment deadline, the Chairman of the
3 FCC stated that it will take action, fairly soon, on the
4 petition from large wireless carriers who were unable to meet
5 the January 31st deadline, that 95 percent of their customers
6 would have location-capable handsets. I know Verizon
7 Wireless, Sprint/Nextel, Alltel, and U.S. Cellular have
8 handset-based E-911 solutions. And it was reported that they
9 were the major carriers affected. Cingular and T-Mobile are
10 providing network-based solution.

11 Chairman Martin declined to say
12 whether the Commission would address the handset waivers
13 through a Wireless Bureau order or through enforcement
14 actions.

15 The next thing I wanted to mention is
16 just kind of a housekeeping matter. We have a Policy 32,
17 which is about generators, that the Board has passed. Right
18 now that policy says that "an additional backup emergency
19 generator that utilizes an alternative power source is
20 recommended but not required." This should say an alternative
21 "fuel" source instead of "power" source. So we'll be making
22 this correction in our policies on the website and elsewhere.

23 I also want to welcome our new
24 accounting manager, Jim Barnes. He's sitting right there in
25 the first row (indicating).

1 He started working with us on
2 January 20th. He'll be taking over some of Don's duties,
3 particularly the administration of the grants. And he'll be
4 assisting and processing reimbursements and remittances. He
5 has a lot of experience with grants, and we're delighted to
6 have him join our staff. And you are welcome to -- if you
7 have questions about the grants, now, instead of calling Don,
8 or if Don's not available, you can ask to talk to Jim.

9 My next item is that I am thrilled to
10 announce that we hired a lawyer. So I will no longer be doing
11 the lawyer duties and the executive director duties. I'm
12 breathing a sigh of relief here.

13 Our new lawyer's name is Carolyn Reed.

14 Carolyn, would you please stand up?

15 (Pause)

16 MS. QUESTELL: She's here. And she's
17 currently working for the Tennessee Regulatory Authority, so
18 she has a lot of telecommunications and administrative
19 practice background. Which will be very helpful.

20 Before she worked for the TRA, she
21 worked for the TVA and private practice. She has a law degree
22 from Vanderbilt. She has great people skills. She is known,
23 by people I respect, to be a very hard worker and a very good
24 lawyer. And I feel she'll be a wonderful addition to the
25 Emergency Communications family. She will be starting on

1 February 15th.

2 CHAIR PORTER: Two lawyers in the same
3 office. Is that going to present a problem?

4 (Laughter)

5 CHAIR PORTER: I feel for Don and
6 Duple.

7 MS. QUESTELL: Well, I chose her
8 because I thought it wouldn't be a problem.

9 (Laughter)

10 MS. QUESTELL: I think she'll do
11 great. And we're delighted that you're here, Carolyn.

12 Another housekeeping matter: We are
13 in the process of reclassifying Duple's position from that
14 of Administrative Services Assistant 5 to Executive
15 Administrative Assistant 2, with a salary grade of 31. And I
16 just wanted to get it on the record that you approved of this
17 reclassification.

18 The change reflects the substantial
19 increase in duties that Duple has taken on. And --

20 CHAIR PORTER: -- and the great job
21 that he's done over the last couple of years with the
22 Legislature. It's just unbelievable how much difference there
23 is.

24 MS. QUESTELL: I'm just -- I cannot
25 speak highly enough for all he does for us on so many

1 different levels. And I just wanted to get it on the record
2 that you-all approved of this administrative change.

3 CHAIR PORTER: Do you need a formal
4 vote?

5 MS. QUESTELL: Yes, I do.

6 MEMBER TAYLOR: I so move,
7 Mr. Chairman.

8 MEMBER COBB: Second.

9 CHAIR PORTER: Seconds all over. I'll
10 take Katrina. I heard her. I did see her first, so I'll take
11 her as the second.

12 Okay. Discussion?

13 MEMBER MOODY: I think this is a great
14 move. But I'd like to compliment Lynn on the fact that she's
15 looked at the total organization and come up with a different
16 organizational structure, trying to look at what the needs are
17 and trying to address the issues that this Board has pointed
18 out. So I think it's a great move, not only with Duple, but
19 with other staff persons, as well.

20 CHAIR PORTER: I agree with you,
21 Ms. Wanda. For no longer that she's been on board with us
22 now, and already we've got us a new attorney, a new
23 accountant, Duple's reclassification, and all of the things
24 that we're doing. I mean, it's great. You really hit the
25 ground running. So that's great. I applaud you, also.

1 MS. QUESTELL: Thank you very much.

2 CHAIR PORTER: Any other discussion on
3 the motion on approving the reclassification on Duple's
4 position?

5 (Pause)

6 CHAIR PORTER: Hearing none, all in
7 favor say "aye."

8 THE BOARD: Aye.

9 CHAIR PORTER: All opposed, like sign.

10 (Pause)

11 CHAIR PORTER: Motion carried.

12 No dissension there, Duple, so you're
13 in good shape.

14 MR. TRAVILLION: I appreciate it.

15 MS. QUESTELL: Then we're ready to
16 move on to the action items?

17 CHAIR PORTER: Okay.

18 MS. QUESTELL: The first action item
19 is to consider the TACIR decision, part of which was to form
20 some advisory committees.

21 During its December 14th, 2005,
22 meeting, TACIR made a number of recommendations, and several
23 of them involved creating advisory committees to work in
24 conjunction with the Board. To comply with this
25 recommendation, I would recommend that the Board create two

1 committees.

2 The first would be an advisory
3 committee to address operational issues. Consistent with what
4 TACIR has said, the operational committee would be asked to
5 develop minimum operational standards and related costs to be
6 reviewed and approved by the Board; to develop more specific
7 minimum equipment standards and specifications on the type and
8 ability of equipment needed at each PSAP and projected
9 replacement times as part of an overall effort to ensure that
10 all ECDs meet a defined and consistent level of E-911 service;
11 to define minimum operational standards for personnel and
12 staffing needs; and to consider the need and alternative to
13 offer pre-arrival instructions statewide.

14 TACIR states that the Board should
15 use the standards to identify districts that are not able to
16 meet the minimum level of service with the revenue base in
17 their district and determine if a change in the level and
18 distribution of revenue is needed.

19 TACIR recommends that the operations
20 committee be comprised of, quote, PSAP officials and other
21 safety personnel, as well as persons with E-911 and technical
22 expertise.

23 I have a list of folks that satisfy
24 that criteria. And subject to your approval, they have
25 offered to serve on this committee.

1 In formulating this group of people,
2 we tried to find a balance as far as the size and location and
3 type of 911 service that would be provided in each of their
4 districts.

5 The people that have agreed, subject
6 to your approval, to serve on this committee would be:

7 Mark Archer in Henry County;
8 Jamison Peaveyhouse, who is the Weakley County Public Safety
9 Director; Bob Moore out of Gibson County; RoxAnn Brown, who
10 is director of Metro 911 here in Nashville; Chris Masiongale,
11 who is director of Overton/Pickett; Buddy Shaffer, from Sumner
12 County; Jimmy Peoples, in Hamblen County; Larry Potter, from
13 Morgan County; Roger Hager, from Claiborn County; and
14 Alan Muse, who is an employee of Cingular.

15 Next, TACIR recommends that a funding
16 committee be formed. This is supposed to be made up of
17 representatives of ECDs, local governments, and other 911
18 technical experts.

19 This committee is supposed to provide
20 direction and data on what 911 fees are expected to cover and
21 recommend a more specific funding method, if needed, and any
22 legislative changes required.

23 And TACIR directed this committee,
24 which is to work in conjunction with the Board, to report its
25 findings back to TACIR no later than June 2006.

1 Again, we tried to find a balance of
2 size, location, and type of 911 service provided for this
3 committee. And subject to your approval, the following
4 folks are willing to serve on the funding committee:

5 Bob McNeill, who is the director of
6 the Washington County Emergency Communications District and
7 this year's president of TENA; Michael Cuddy, who is the Chair
8 of the Knox County District; Steve Smith, of Rutherford
9 County; Tressia Barksdale, of Carroll County; David Moore, who
10 is the Chief of Police in Martin, Tennessee, which would be a
11 representative of municipalities; Kathy Owens, who works for
12 Sprint; Doug Goddard, who is the Executive Director of the
13 County Commissioners' Association. And, Jerry Burgess, who
14 works out of the Comptroller's Office, has agreed to help us
15 with this, though will not serve as a voting member on the
16 committee. He will monitor the committee and offer
17 suggestions.

18 CHAIR PORTER: You've heard the
19 request of Staff that we create these two committees to look
20 at these items and get back to TACIR. Do I hear a motion?

21 MEMBER TAYLOR: Mr. Chairman, I would
22 move -- Lynn, are you going to recommend a Chair as part of
23 your report?

24 MS. QUESTELL: I was not. But I would
25 be delighted to.

1 MEMBER TAYLOR: I would like to
2 recommend that -- to appoint the Chairs of those, you and Rex
3 chair those two committees. Rex on the operations and you on
4 the funding. I would make that motion.

5 MS. QUESTELL: I would be honored to
6 serve in that capacity.

7 CHAIR PORTER: Do I have a second?

8 MEMBER MOODY: Second.

9 CHAIR PORTER: So a motion and second
10 that we appoint these committees at the recommendation of
11 TACIR, and that Lynn serve as the chairman of the Funding
12 Committee, and Rex serve as the chairman of the Operations
13 Committee.

14 MEMBER MOODY: Could we correct the
15 spelling of Michael Cuddy. That should be C-U-D-D-Y.

16 CHAIR PORTER: C-U-D-D-Y, instead of
17 C-U-T-T-Y.

18 MEMBER MOODY: Right.

19 CHAIR PORTER: We've got that.

20 You know, this Board has even took on
21 some of this stuff and looked at it over the years, and I
22 think most of us felt like, when the TACIR thing was started,
23 that TACIR would come out with recommendations on how it was
24 going to solve all of our problems. I think once they got in
25 the middle of it, they found out it was a bigger issue than

1 what could be solved in a TACIR study. So these folks have a
2 tough job. And I'm hoping, with all the knowledge and
3 expertise that these folks will bring to the table, that we
4 can come up with some good recommendations and possibly some
5 good legislation that will come out of this and help 911,
6 especially in its funding for the future.

7 Because we all know, with the landline
8 decreasing as it is, there's got to be something that's going
9 to be changed in 911 to allow the districts to keep operating.
10 So these folks have a tough job ahead of them, and I wish them
11 Godspeed in getting this stuff done and bring us back some
12 good recommendations.

13 Is there discussion on the motion?

14 (Pause)

15 MEMBER TAYLOR: I would just offer,
16 Mr. Chairman, that Staff did a great job here, as well.
17 There's a good mix of folks on these committees.

18 CHAIR PORTER: Any other discussion?

19 (Pause)

20 CHAIR PORTER: Hearing none, all in
21 favor say "aye."

22 THE BOARD: Aye.

23 CHAIR PORTER: All opposed, like sign.

24 (Pause)

25 CHAIR PORTER: Motion carried.

1 Next item.

2 MS. QUESTELL: Well, we're still kind
3 of on the TACIR thing. How I perceive this kind of proceeding
4 is that it seems like the task of developing minimum
5 operational standards and related costs will in some ways
6 mirror the task of what the funding committee is going to do
7 to provide data on what 911 fees are expected to cover. So
8 what I'm going to do is ask the operations committee to meet
9 first. And we will provide that committee with certain
10 specific criteria, ahead of time, because -- sorry -- and then
11 we will either have the operations committee meet with the
12 funding committee, or we will have a summary of things that
13 they have come up with to consider, so that the funding
14 committee will immediately be able to hit the ground running.

15 Because it's really -- to have a June
16 deadline like this, we're going to need to move quickly. And
17 we'll try to be as organized as possible with that.

18 I want to stress that TACIR said the
19 funding committee should work in conjunction with the Board.
20 And there will be a TACIR member on this funding committee, as
21 well. But they've yet to let us know who they'll appoint.

22 And I will provide the Board with
23 summaries of each meeting of that committee. And the Board
24 may want to think about meeting before the June meeting which
25 the committee is supposed to meet with TACIR. We've got a

1 couple of tentative dates that we can talk about at the end of
2 the meeting to try to work out. But TACIR has not set the
3 date for its June meeting. Just want to think about that.

4 TACIR also made some recommendations
5 unrelated to committees. TACIR recommended that landline
6 providers be required to report land counts and services
7 statewide by ECD to a central state and include penalties for
8 not reporting. I think this would probably require
9 legislation. I know it's going to require legislation. And
10 this Board, certainly, is not set up to do that kind of
11 odyssey.

12 TACIR also recommended State audits of
13 local exchange carriers, to ensure that fees are properly
14 collected and remitted to the ECDs, be considered.

15 I assume that TACIR is going to
16 approach those topics. The Board has the authority to propose
17 legislation within Title VII, Chapter 86. And I do not see
18 that these would fit into there at this point.

19 TACIR also recommended that the
20 Emergency Communications statutes be amended to include all
21 devices, Voice over IP, as well as potential technologies with
22 access to 911, so that they would pay 911 surcharge fees. We
23 drafted an amendment to 7-86-108 that would satisfy this
24 recommendation. But it's something that we would like to have
25 the funding committee weigh in on and discuss. Because the

1 way we figured it, we treated it like wireless, and there may
2 be another way. We just want to talk about it.

3 CHAIR PORTER: The question there,
4 though -- if it goes to the committee, though, that means we
5 wouldn't be able to get a bill in the hopper this year, in
6 between time, right?

7 Would it not be better to put in a
8 caption bill that would allow this, so that if the committee
9 comes up with a recommendation before the Legislature is out,
10 then we might be able to get something passed?

11 MS. QUESTELL: I think that's a really
12 good idea, as long as the Board agrees.

13 CHAIR PORTER: Does the Board have a
14 problem with us doing a caption bill in case we don't come up
15 with something before session is up?

16 THE BOARD: No.

17 CHAIR PORTER: Okay.

18 MS. QUESTELL: TACIR also recommended
19 that the Board consider developing a voluntary centralized
20 purchasing capability to all districts taking advantage of
21 increased economies of scale.

22 This may be a great idea. I have
23 learned that the State Purchasing Department may have ways to
24 make this happen without going through the RFP process, which
25 is very lengthy and time-consuming. And this may be able to

1 provide considerable savings to districts on commodities.
2 It's only for things; not for services. But we will pursue
3 this option.

4 MEMBER MOODY: Can I speak on that
5 item?

6 MS. QUESTELL: Yes.

7 MEMBER MOODY: I'm just wondering, in
8 State purchasing, once you, through the local districts,
9 identify what those items are, the State's purchasing, then,
10 can go out and bid, and then include those items -- get the
11 prices, and then include those on the State contract. So then
12 the locals could automatically just buy it from the State
13 contract. I wonder if that wouldn't be appropriate procedure?

14 MEMBER BILBREY: Yes. General
15 Services has the capability to set up a statewide contract.
16 They can do it for the State to buy off of, as the vendors
17 agree, every county, municipality. And if we work with
18 purchasing, I think, on this, now, we can probably get them to
19 work with us and do this for us. The districts are
20 governments out there, just like anybody else. So there's no
21 reason why they can't do it. We've just got to talk with the
22 right people and set up a statewide contract, which means each
23 district out there can use a purchase order against that and
24 buy.

25 What we have to do is, come up with

1 what we need and specifications.

2 MS. QUESTELL: That's a good point.

3 MEMBER BILBREY: And we can't get it
4 all on one contract, so there would be several different
5 contracts for different items that we need. It's a process.
6 It will take a little time, but it will work.

7 MS. QUESTELL: I thought that we would
8 have the operations committee start making a list of stuff
9 that everybody needs. Everyone needs phones. Everyone needs
10 chairs. Everyone needs consoles; things like that. And see
11 if we could move this along.

12 MEMBER LOWRY: Some of our stuff is
13 already on there. I've been buying off it for a while.

14 CHAIR PORTER: Especially in the
15 computers, anything to do with computers, most of that is
16 already on there.

17 MEMBER LOWRY: Motorola stuff.

18 CHAIR PORTER: Motorola stuff.

19 MS. QUESTELL: We'll try and develop
20 some kind of procedure to make it easier for people to do it.
21 I will admit, I don't know much about it at this point. But
22 we'll try to get it all organized.

23 CHAIR PORTER: The other thing I'll
24 throw out, too, I don't want everybody to get their hopes up
25 too much on this because in my 25 years, I've found in a lot

1 of cases you can buy it cheaper than what it's on the
2 State-bid contract for. And in some cases, not. But in a lot
3 of cases, your local vendor will sell it to you cheaper than
4 what's on the State bid. But it gives -- it gives you
5 something to compare by, anyway, to try and get some more
6 prices. So it can't hurt anything.

7 MS. QUESTELL: The last thing that
8 TACIR recommended is that the Board should commission a
9 comprehensive cost-benefit study of the development of a
10 statewide E-911 network to take advantage of new technology.
11 And they say that statutory changes may be necessary to
12 broaden the TECB's authority.

13 We have initiated the preliminaries of
14 this with Kimball and Associates, who we already have a
15 contract with. They were deeply involved in the broadband
16 projects in Indiana and Montana, as well as Washington D.C.
17 and Kansas City. We would plan to have something to present
18 to you at the next meeting about that.

19 The next item is, consider methods to
20 reduce the impact of the reduction in revenue from landlines
21 used to fund emergency communication districts. At the last
22 meeting, the Board unanimously voted to consider providing
23 additional funding to the emergency communications districts,
24 due to the reduction in revenues that they're facing with the
25 decrease in the number of landlines. The law does not allow

1 the Board to just send money to the districts or to alter the
2 proportion of wireless fees provided to the districts. But
3 the law, clearly, permits a board to provide districts with
4 reimbursement or payment of obligations incurred to implement,
5 operate, maintain, or enhance wireless 911 service.

6 After considerable thought, Staff is
7 offering the following suggestions and recommendations for
8 additional programs to reimburse or pay obligations incurred
9 by districts:

10 The reimbursement program would be:
11 First, we would recommend that the Board expand the \$40,000
12 controller upgrade program to include all districts; not just
13 those eligible for the Rural Dispatcher Grant.

14 Second, Staff recommends that the
15 Board create a new reimbursement program to provide districts
16 with reimbursement or payment of obligations incurred up to
17 \$50,000 for the purchase or upgrade of generators, UPS
18 systems, and logging reporters.

19 We recommend that both of these
20 reimbursements be retroactive for expenditures made since
21 July 2, 2003. July 1, 2003.

22 Third, we recommend that the Board
23 provide up to \$100,000 to assist in PSAP reconstruction or
24 relocation in case of damage due to a catastrophe, to be
25 available if insurance does not cover the loss.

1 Just a bit of explanation. Each of
2 the items proposed in these new programs are necessary, if not
3 essential, to the provision of 911 service. In Policy 32 the
4 Board required districts to obtain generators and UPS for a
5 good reason. If you don't have power; you don't have 911
6 service. And recorders are also really important. They are a
7 means of record keeping and quality control.

8 Each 911 trunk or call-taker position
9 requires its own recorder channel. As districts expand their
10 service and coverage, they require more recorder channels and
11 resulting -- which results in upgraded or new recorder needs.
12 Permitting districts to choose from this menu of essential
13 items allows them the autonomy to select the items they need
14 the most.

15 I offer these proposals under the
16 theory that "a rising tide lifts all boats." All districts,
17 large and small, highly populated and rural, will be able to
18 benefit from these proposals. And Staff is developing minimum
19 technical specifications for the items to be subject to the
20 reimbursement.

21 I want to talk, just a little bit,
22 about the reimbursement procedure that we would recommend.
23 The procedure that we're using now to provide the controller
24 upgrade seems to be working well. As it is, districts request
25 the reimbursement, describe the equipment, and provide the

1 justification for why they need the equipment. The
2 expenditures are reviewed by our technical experts and the
3 Chairman. And if they agree that the expenditure is truly for
4 controller upgrade, then Staff presents the reimbursement
5 request for the Board's approval.

6 This process is good because it
7 ensures that the funding is used specifically for the
8 reimbursement program -- and specifically for the district --
9 and it provides an official record of what is being purchased
10 and what it costs.

11 It's been suggested that it might be
12 appropriate to streamline this process, particularly if we
13 expand the reimbursement program this much. Waiting for a
14 meeting to bring up these requests for your approval takes
15 time. And it's going to take more time if the Board expands
16 the reimbursement program.

17 To streamline the process, the Board
18 could authorize the Executive Director to be permitted to
19 approve or disapprove the requests for reimbursement if both
20 the Director of E-911 Technical Services and the Chairman
21 agree that the reimbursement is appropriate. Then there would
22 be a right of appeal of the decision. If the district was
23 unhappy with the decision, they could appeal it straight to
24 the Board.

25 If we implemented this process, I

1 would have a report at each meeting to let you-all know, on
2 the record, exactly what was purchased, so that there would be
3 a record. If there were a whole lot, we might just do a
4 writing that we would pass out to all the attendees and make
5 it part of the official record and put it on the website and
6 provide it for you-all, if it was going to take too long to
7 read it all out.

8 It also has been suggested, though,
9 that the present method of approving the reimbursement by the
10 entire board is more secure from an accounting and auditing
11 perspective, because the whole board reviews the request and
12 makes the decision.

13 And I just leave it up to the Board to
14 decide which process it's more comfortable with, if it decides
15 to expand the reimbursement program.

16 CHAIR PORTER: You heard the request
17 of Staff on expanding the controller upgrade to all districts;
18 and the new reimbursement for generators, UPSs, and recorders;
19 and then the kind of PSAP emergency fund for any PSAP that got
20 into a disaster and lost its PSAP and was not being covered by
21 insurance. What's the will of the Board?

22 MEMBER MOODY: Mr. Chairman, I move
23 for approval of the Staff's recommendation. I would, after we
24 get a second, like to discuss the process, though.

25 MEMBER LOWRY: Second.

1 CHAIR PORTER: You second it. Okay.

2 MEMBER TAYLOR: I would like to amend
3 the motion by making \$50,000 available for the generator,
4 \$50,000 for the UPS, and \$50,000 for recorder. Maximum
5 dollars. I discussed these figures with Staff. The financial
6 numbers have been crunched. This is doable. We can afford
7 it. This addresses the basic needs of the districts. And I
8 think it's well within our budget to do.

9 MEMBER MOODY: Second.

10 CHAIR PORTER: I have a motion and
11 a second that we amend the first motion of Staff's
12 recommendation only giving \$50,000 in total for the UPSs, the
13 generators, and recorders, and make it \$50,000 for each. And
14 you're saying up to 50?

15 MEMBER TAYLOR: Up to.

16 CHAIR PORTER: And, Staff, the numbers
17 crunched, and everybody is good with that?

18 MS. QUESTELL: Don, would you like to
19 speak to that?

20 MR. JOHNSON: Yes, Mr. Chairman, we
21 did run the numbers, and that would work.

22 CHAIR PORTER: We have enough?

23 MR. JOHNSON: Yes.

24 CHAIR PORTER: Let's discuss the
25 amendment.

1 MR. JOHNSON: Mr. Chairman, I also
2 want to say, all of them is not going to be coming in at the
3 same time, so we --

4 CHAIR PORTER: They will be spread out
5 over a period of time.

6 MR. JOHNSON: Exactly.

7 MEMBER TAYLOR: Just one more thing.
8 This should be more incentive for districts to consolidate.
9 And that's been one of our key objectives all along. Now, we
10 have 140,000 -- or \$190,000 in addition to the 300,000 as an
11 incentive to the districts to consolidate. Hopefully, this
12 will get some of the districts moving.

13 CHAIR PORTER: I hope so, too. In my
14 going around to -- and I've probably been to at least 75
15 percent of the 911 districts, one of the major things that I
16 saw every time we did an inspection -- an audit inspection for
17 rate increase requests -- was the generators and UPSs I saw,
18 1940- and '50-model generators had been bought at State
19 surplus, you know, that they are depending on running their
20 911 center. Anything we can do to help them. I can't think
21 of anything better to do to.

22 Let's discuss Mr. Mike's amendment,
23 here, that raises each one of them up to \$50,000 each. Is
24 there discussion on the amendment?

25 MEMBER MOODY: I have one question.

1 CHAIR PORTER: Go ahead.

2 MEMBER MOODY: Mike, did you include
3 the first part of Lynn's recommendation on the controller
4 upgrade?

5 MEMBER TAYLOR: All my amendment
6 affects is item 2 of that.

7 MEMBER MOODY: Okay.

8 MEMBER TAYLOR: So, yes, I would want
9 to see item number 1 left in there. 40,000 for the controller
10 upgrade, yes.

11 MEMBER MOODY: Okay.

12 MEMBER TAYLOR: I added the money up
13 for the districts; 190 is what it comes to, if a district
14 applies for everything. But what Don said, we're not going to
15 get 190 from every district. And I know my district is not --

16 MEMBER BILBREY: What is the actual
17 cost of this?

18 MEMBER TAYLOR: I can answer you
19 exactly. We're in the process of bidding a 200-KVA generator
20 in Tipton County, and the generator and the control panel
21 itself is about \$38,000. And there's about \$8,000 of
22 electrical work. And then there's a slab and a fence around
23 the generator. So it's close to \$50,000.

24 We're looking at two 100-amp UPSs at
25 \$15,000 apiece. One for the dispatch room itself, for the

1 consoles and the equipment, the GIS, and all that stuff. And
2 then one outside for our radio room that has all the radio
3 equipment. And there's about \$8,000 worth of electrical work
4 there. So that's around -- a little bit less than \$40,000.

5 Now, a recorder, itself, I would think
6 5- to 7,000. Would be the most --

7 MEMBER LOWRY: No. No. Go on up.

8 MEMBER TAYLOR: We've bought three of
9 them since I've been Chair. But I'll tell you what, recorders
10 leave such a bad taste in my mouth, I don't want to think
11 about it.

12 CHAIR PORTER: You can spend the
13 50,000 real easy.

14 MEMBER TAYLOR: We have one that's
15 just past the two years, so we're not eligible there.

16 MR. HOLLAWAY: Mr. Chairman, I was
17 just going to add that the larger the county, the larger the
18 dispatch center. Everything goes up. Recorders --

19 MR. CHAIRMAN: -- generators,
20 everything. The smaller the county, the less that it will
21 take. Some of the larger districts, this won't be a drop in
22 the bucket for what they're going to have to pay.

23 MEMBER RICH: Question. We probably
24 need to clear this up right now. Retroactive. Retroactive
25 means that you get one shot. You go back retroactive and get

1 this money, you don't get that money again from this date
2 forward? Do you follow what I'm asking? Retroactive, back
3 two years --

4 CHAIR PORTER: If they've already
5 purchased --

6 MEMBER RICH: Correct.

7 CHAIR PORTER: -- then they can get
8 reimbursed for it.

9 MEMBER RICH: Reimbursed for that.

10 MEMBER TAYLOR: But if not, you can
11 buy it.

12 CHAIR PORTER: You can buy it and get
13 reimbursed for it, either one.

14 MEMBER RICH: But you don't get both?

15 MS. QUESTELL: One bite of the apple.

16 CHAIR PORTER: Well, let me ask this.

17 That does bring up a question. Let's say we had a district
18 that had bought a generator right after July 3, 2003. Okay,
19 it's three years later now, and the PSAP has grown and they
20 need to replace that generator. The first generator cost
21 \$20,000. This next new one they're going to buy is going to
22 cost \$30,000. Are they going to be able to get the whole 50?
23 They would be able to do both, reimburse the first one and
24 then buy the new one?

25 MS. QUESTELL: Up to 50,000.

1 CHAIR PORTER: I just wanted to make
2 sure.

3 And is there a time limit that we're
4 putting as to how long this program will last?

5 MEMBER TAYLOR: I'm not recommending
6 one.

7 CHAIR PORTER: I'm not either. I'm
8 just asking, because that will be a good question that will be
9 asked: How long do I have to do this?

10 MS. QUESTELL: I'd like to say
11 something to that. I don't like the idea of a stampede to get
12 something just for the sake of getting it because there's
13 money out there. We have done well in this state because
14 we've been conservative about our purchasing and conservative
15 about our money. And it's the Tennessee way, to do less with
16 more.

17 And I don't want to encourage people
18 to just get something just for the sake of getting it. If
19 there's a need, of course, we want that to be taken care of.
20 But I would hope this would be applied for just like
21 everything else has been, that the districts have done so
22 well -- which is when they need it.

23 MEMBER TAYLOR: Staff has recommended
24 certain things that have to be included in each of these
25 items. Rex is going to have to look at them from a technical

1 standpoint. And I hope -- this is an opportunity for the
2 districts, a real opportunity for the districts to improve
3 their operations. And hopefully, everyone will look at it
4 long and hard and not go out and buy on the spur of the
5 moment. And the bid process is going to be kind of long to
6 start with.

7 MEMBER BILBREY: I was going to
8 mention this later on, but it might be a good time to mention
9 it right now, along with your amendment here. But the new
10 committees that we have here, maybe it would be a good idea
11 for them to take, like, this situation right here and look at
12 it and make sure that we are doing this fairly and equitable.
13 Somebody mentioned the smaller counties and the larger
14 counties and the different percentage of what we're giving to
15 them -- or what they're applying for, depending on whether you
16 are a small county or a large county. And maybe we need to
17 look at the variations here. I don't know. I'm just asking a
18 question now.

19 And maybe they can look at it and
20 see -- maybe in some cases, it should be more; in some cases,
21 less. I don't know. But what do you think about that?

22 CHAIR PORTER: What I think, Charles,
23 is that the smallest little Pickett County, or wherever
24 they're at, deserves the same level of 911 service as
25 Metro/Nashville or Memphis does. And when you start looking

1 at revenue that's coming in to these districts, it's much
2 harder for the Pickett County to buy this stuff than it is for
3 the Metro/Nashville because they're getting such a larger
4 amount of revenue because of the population, and a larger
5 share of the wireless revenue, that I think it kind of equals
6 things out. If we're able to give money to the smaller
7 districts to help them, that they need the most. Yet, the
8 larger districts still get some money to help them out on
9 their problems, too.

10 MEMBER BILBREY: And I'm not saying
11 take anything away from anybody. I'm saying, make sure it's
12 fair and equitable across the board, in case there's something
13 we don't see. I don't know.

14 CHAIR PORTER: One thing we did that
15 we couldn't find another way to do it was, back when we first
16 started the wireless fee, we based it on population. And I
17 think it was one of the worst things we could have done
18 because Shelby County gets almost a million dollars a year out
19 of the wireless fee, and you've got some little counties that
20 might get 15- or \$20,000 on the wireless fee. Yet they both
21 have to provide the same service.

22 MEMBER BILBREY: That's the reason I'm
23 saying we need to look at these things and make sure we're not
24 missing something.

25 MEMBER MOODY: One comment on that,

1 and that would be that with the new funding committee being
2 formed, I would assume that one of the things that they'll be
3 doing is looking at how we're currently funding and look at
4 the total package, and then come back with recommendations.
5 And I think Mike's amendment, for the present, is a good
6 amendment, and going ahead and doing that with the thought
7 being that eventually we're going to have to make some
8 changes.

9 MEMBER BILBREY: And we need to do
10 more, if we can. It depends on how -- and you say the numbers
11 crunch and so forth.

12 CHAIR PORTER: You brought up a good
13 point, Charles. The key to this whole thing -- I know there's
14 some folks out in the state that would love to change the
15 way -- the wireless percentage and how much of that comes to
16 the boards -- how much comes to the districts. If that should
17 change, some of these things could go away in a hurry.

18 Folks need to be thinking about that.
19 Because you hear rumors of bills and stuff brought in to
20 change the way that things are done. And I hope that folks
21 think long and hard before they start changing what's going
22 on. Because some of this stuff could really come to a halt.

23 Can you imagine a small district
24 that's been getting \$30,000 a year to add new dispatchers --
25 and they're used to that now -- and all of sudden, we take

1 that away from them. It could be devastating.

2 MEMBER BILBREY: Exactly. You know,
3 ever since this body has been formed here, we have tried our
4 best to be fair and equitable to everybody. And it's the
5 individual citizens we're concerned with.

6 CHAIR PORTER: That's right.

7 MEMBER BILBREY: Wherever he is, it
8 doesn't matter, we want him to get the same type of service.
9 And that's the reason I say we need to be very careful and
10 make sure that we're doing everything fairly.

11 MR. HOLLAWAY: Mr. Chairman, on this
12 thing of one bite out of the apple, you might want to think
13 about that. Because, certainly, generators are going to last
14 many, many years. Recorders and UPSs, the expensive ones, you
15 could be looking at major upgrades or replacement every three
16 or four years. A good example there, we could have several
17 counties or ECDs that bought something in mid 2003 and very
18 quickly will be coming up to a major upgrade.

19 CHAIR PORTER: My thing was, as long
20 as they don't go over the 50,000, if it takes them five --
21 over the next five years that they do it.

22 MR. HOLLAWAY: It's essentially two
23 different reimbursements for the same buy, but it's related
24 reimbursements.

25 CHAIR PORTER: As long as they don't

1 go over 50,000.

2 MEMBER TAYLOR: Mr. Chairman, I would
3 hope that TACIR -- or the committee recommended, that we just
4 approved appointment of, would look more long range at overall
5 funding, especially the legislation that's going to need to be
6 changed, to look at wireline, and also the wireless fees, and
7 that thing, and not so much the grant program. I think,
8 certainly, any one -- or any district that has a particular
9 need can come before the Board and state its need, and I think
10 they would receive something.

11 CHAIR PORTER: I think so, too. We
12 haven't turned anyone down yet, I don't think, that could
13 justify it.

14 MEMBER TAYLOR: And we have mandated
15 December 31st that we have power supplies. And some of us are
16 in violation because we don't have a generator that will do
17 those things.

18 CHAIR PORTER: This will help
19 dramatically.

20 MEMBER TAYLOR: This will help an
21 immediate need.

22 CHAIR PORTER: Yep. Any other
23 discussion on the amendment? Everybody understand the
24 amendment? We're making 50,000 for each one of them, for a
25 total of 150,000.

1 (Pause)

2 CHAIR PORTER: Hearing none, all in
3 favor say "aye."

4 THE BOARD: Aye.

5 CHAIR PORTER: All opposed, like sign.

6 (Pause)

7 CHAIR PORTER: Motion carried.

8 Now we're back to the original and
9 amended motion, now, that expand controller upgrades to all
10 the districts for 40,000, being retroactive; 50,000 for the
11 generators, 50,000 for the UPS, and 50,000 for the recorders,
12 for a total of 150,000 per district, retroactive to
13 July 1st of 2003; and setting up the \$100,000 per PSAP in case
14 of -- a disaster-type fund that we can help them to get back
15 going if it's not covered by insurance.

16 MEMBER MOODY: One question or
17 clarification on the \$100,000 for the catastrophic loss. I'm
18 assuming that is not retroactive but from this day forward?

19 MS. QUESTELL: Yes.

20 CHAIR PORTER: Any discussion on the
21 amended motion?

22 MEMBER LOWRY: On the controller
23 upgrade, does that include -- I think it does, but I want to
24 be sure -- the software upgrade?

25 CHAIR PORTER: Yes.

1 MEMBER MOODY: But it is retroactive?

2 CHAIR PORTER: It is retroactive.

3 MEMBER TAYLOR: Do you want to make
4 that date-specific?

5 CHAIR PORTER: It was already --
6 wasn't it already date-specific on the controller upgrade,
7 wasn't it?

8 MS. QUESTELL: I don't believe so.

9 CHAIR PORTER: We didn't put an actual
10 date in it?

11 MS. QUESTELL: No.

12 CHAIR PORTER: I think that would be
13 appropriate. Just make it all the same.

14 Everybody, July 1st, 2003, for it,
15 also?

16 (Pause)

17 CHAIR PORTER: Okay. And as part of
18 this motion, do we need to talk about the streamlining of
19 the -- one thing that we need to think about, that Lynn
20 brought out is, now, all of a sudden, you're going to have
21 95 requests for generators, 95 requests for UPSs, 95 requests
22 for recorders, 95 requests for all these things coming up, and
23 I think the way that it's been going, it's been going good.

24 But since we've got Rex on board, now,
25 that can review all of these; lynn can review all of these;

1 they send them up and I'll review, try to help them out as
2 much as I can, that we give Staff the authority to go ahead
3 and approve these so we don't hold the process up for two or
4 three months waiting on a board meeting. And then Lynn bring
5 all of this to the -- a list to the board meeting, provide it
6 to us each time so we can put it on the record and everybody
7 knows where the money is going.

8 MEMBER MOODY: I would include that as
9 an amendment.

10 CHAIR PORTER: As an amendment?

11 MEMBER MOODY: Yes.

12 MEMBER TAYLOR: Mr. Chairman, I'm
13 taking Rex home with me.

14 CHAIR PORTER: We might fight you for
15 him.

16 Do I have a second to Ms. Moody's
17 amendment?

18 MEMBER TAYLOR: Second.

19 CHAIR PORTER: A motion and second
20 that we streamline the procedure to allow Staff to go ahead
21 and approve these after the review of the Executive Director
22 and Technical Director and the Chairman, and have a list at
23 the board meeting and go on the record and be disseminated
24 amongst the board members so you know where everything is
25 going.

1 MEMBER BILBREY: I believe -- I don't
2 have anything against doing it that way, but I think it's
3 incumbent upon the Board -- it's a disbursement. It's not a
4 daily operational-type thing that we're doing here. I think
5 it is incumbent upon the Board to do the approval of those
6 payments. I want to make sure that, you know, every side
7 that's supposed to be here is covered.

8 The Board has -- the whole thing boils
9 down to, it's the Board's responsibility. So whatever level
10 you want to go, you want to be responsible for turning it
11 over, you know, completely, to Staff, although you are
12 signing, in this case, for the Board, I guess.

13 CHAIR PORTER: There's going to be
14 three people here that will be approving every one of these.

15 MEMBER BILBREY: You're the board
16 member.

17 CHAIR PORTER: I'm your
18 representative.

19 MEMBER BILBREY: Right. So when you
20 sign off on that you, in essence, are signing off for the
21 Board. In that case, then, all the reporting coming back to
22 the Board, I think will probably serve the purpose quite well.
23 But we want complete documentation.

24 CHAIR PORTER: Sure.

25 MEMBER BILBREY: A request and

1 justification and so forth, why they need it and all that, so
2 that we will have a good document that's auditable and all
3 that, you know, that the auditors can see.

4 CHAIR PORTER: Anybody that's not
5 kosher with that and doesn't feel comfortable, speak up now.

6 MEMBER BILBREY: Well, I would agree
7 with it if you're representing the Board.

8 CHAIR PORTER: So far I've reviewed
9 every one that's come through.

10 MEMBER LOWRY: I think it's good. We
11 want to keep Randy busy up there in Cookeville.

12 (Laughter)

13 CHAIR PORTER: Stop by and buy me a
14 cup of coffee every now and then.

15 Any other discussion on the amendment,
16 then, streamlining everything?

17 (Pause)

18 CHAIR PORTER: Hearing none, all in
19 favor say "aye."

20 THE BOARD: Aye.

21 CHAIR PORTER: All opposed, like sign.

22 (Pause)

23 CHAIR PORTER: Motion carried.

24 We're now back to the amended twice
25 motion. Does everybody understand everything that we've

1 amended? Do I need to say it again?

2 (Pause)

3 CHAIR PORTER: Do we have any further
4 discussion on that?

5 (Pause)

6 CHAIR PORTER: Hearing none, all in
7 favor say "aye."

8 THE BOARD: Aye.

9 CHAIR PORTER: All opposed, like sign.

10 (Pause)

11 CHAIR PORTER: Motion carried.

12 Great job, Lynn, bringing all that to
13 us.

14 And that's real good, Mike, I'm glad
15 that you brought that up. I think what we did right there
16 will probably help the PSAPs more than anything that's been
17 done in the last few years.

18 MEMBER TAYLOR: I can't take credit
19 for it, wholly. Here again, Lynn, Don, the Staff, they just
20 did a tremendous job. My hat's off.

21 CHAIR PORTER: Next item, Lynn.

22 MS. QUESTELL: Consider supporting
23 legislation to impose an emergency communications service
24 charge on Voice over IP and emerging technologies capable
25 of connecting a 911 caller to a PSAP. This is more of an

1 in-principle vote. It's not something the Board can
2 immediately put into effect because the question as to whether
3 state's have the authority to impose a service charge on
4 Voice over IP users and subscribers is unsettled in the
5 courts. The proposed Voice over IP legislation should settle
6 this, once it's passed. But I think we need to position
7 Tennessee to -- as soon as we know it's okay -- be able to
8 move ahead as quickly as possible.

9 So I would like your authorization to
10 develop some legislation in that regard. We've already talked
11 about -- I just wanted to get it on the record, and we'll do a
12 caption bill.

13 MEMBER MOODY: Move for approval.

14 CHAIR PORTER: Do I have a second?

15 MEMBER COBB: Second.

16 CHAIR PORTER: A motion and second we
17 approve supporting the legislation that's going to impose --
18 that's on a federal level -- and on a local level of putting a
19 bill in the hopper here to the committee as soon as the
20 federal legislation goes through. Any other discussion?

21 (Pause)

22 CHAIR PORTER: Hearing none, all in
23 favor say "aye."

24 THE BOARD: Aye.

25 CHAIR PORTER: All opposed, like sign.

1 (Pause)

2 THE CHAIR: Motion carried.

3 MS. QUESTELL: The next item is

4 to consider supporting legislation to make 911 tapes

5 self-authenticating.

6 I want to kind of tweak this a little

7 bit. I put this on the agenda after I received a number of

8 complaints from districts about how they had to just waste

9 time in court to simply authenticate 911 tapes. And I put it

10 on the agenda before I did a lot of legal research about it.

11 And when Carolyn comes on, you'll have much quicker legal

12 research happening. I've just had too much going on.

13 But what I've done, what I've

14 discovered in my legal research thus far is that they may

15 already be self-authenticating. It would seem to me that they

16 would fall under the self-authenticating rule in the Tennessee

17 Rules of Evidence. And there's an Attorney General Opinion

18 that states that tapes of proceedings in city courts are

19 self-authenticating, and it may be that this same legal

20 reasoning would apply.

21 I'm going to ask our new attorney to

22 fully research this. And what I would ask is that the Board

23 simply tell us -- authorize us to take whatever steps are

24 necessary to assure that 911 tapes are self-authenticating.

25 It may be legislation. It may be that we can take an Attorney

1 General Opinion. It may be that they are already
2 self-authenticating and we're just not taking advantage of
3 the Rules of Evidence.

4 Under the Rules of Evidence you have
5 to have an affidavit that establishes all the little details
6 for self-authentication. And I've drafted up one so that we
7 can, at least, try it that way. And I'll make that available
8 to people who request it.

9 Anyway, I guess I'm just asking the
10 Board to authorize us to move ahead to take whatever steps are
11 necessary to clarify the issue.

12 CHAIR PORTER: Those of us in 911 on a
13 day-to-day basis, we know how many thousands of hours are
14 wasted across this state standing in court and just waiting.
15 That would be great.

16 So you heard the request from Staff to
17 approve them to do whatever is necessary to make this happen.
18 Do I hear a motion?

19 MEMBER LOWRY: So moved.

20 CHAIR PORTER: Do I have a second?

21 MEMBER RICH: Second.

22 CHAIR PORTER: Mr. Rich.

23 Any discussion?

24 MEMBER MOODY: I would assume, then,
25 whatever steps are taken or whatever decision is made, that

1 Staff would report back to the Board at the next meeting?

2 MS. QUESTELL: Oh, absolutely.

3 CHAIR PORTER: Any other discussion?

4 (Pause)

5 CHAIR PORTER: Hearing none, all in
6 favor say "aye."

7 THE BOARD: Aye.

8 CHAIR PORTER: All opposed, like sign.

9 (Pause)

10 CHAIR PORTER: Motion carried.

11 Next item.

12 MS. QUESTELL: The next item is to
13 consider amending the dispatcher training regulations to
14 establish a process for Board approval of course of study
15 programs offered to Tennessee dispatchers and call-takers.

16 The reason I'm asking to do this,
17 right on the tail of getting the regulations in place, is
18 because of what the law says. The law says that -- with
19 certain exceptions -- "all emergency call-takers or public
20 safety dispatchers shall have successfully completed a course
21 of study approved by the Emergency Communications Board." To
22 me, this language contemplates that the Board would have a
23 role, of some sort, in approving the courses of study offered
24 to dispatchers and call-takers in our state.

25 So we would just propose, to start the

1 process, like we did with the dispatcher training regulations,
2 of having some round-tables and having some discussion about
3 the best way to do this to try to obtain a consensus about
4 this program. I'm not saying that we should start any --
5 draft up anything right now. We just need to start talking
6 about it and seeing what's feasible. And I just wanted to get
7 your approval to start that process.

8 CHAIR PORTER: You heard the request
9 of Staff?

10 MEMBER COBB: I so move.

11 MEMBER TAYLOR: Second.

12 CHAIR PORTER: Ms. Cobb made the
13 motion, Taylor seconds, to approve Staff in developing the
14 process, I guess, in approving the course of study.

15 Any discussion?

16 (Pause)

17 CHAIR PORTER: Hearing none, all in
18 favor say "aye."

19 THE BOARD: Aye.

20 CHAIR PORTER: All opposed, like sign.

21 (Pause)

22 CHAIR PORTER: Motion carried.

23 Next item.

24 MS. QUESTELL: The next item is to
25 consider a request for the \$40,000 for the controller and

1 system upgrade from Dyer and Henry Counties.

2 Inasmuch as the Board has already
3 approved Staff to approve these programs, I would like to
4 just -- I would like to just go ahead and take care of this,
5 unless the Board wants to hear the details of it now?

6 MEMBER MOODY: Well, really, wouldn't
7 it be appropriate just to remove this item from the agenda?

8 MS. QUESTELL: Yes.

9 MEMBER MOODY: Then, let's go ahead
10 and handle it, and let you go ahead and handle it as we
11 approved the other items earlier.

12 MS. QUESTELL: That would be my
13 recommendation.

14 MEMBER MOODY: I would move that this
15 item be removed from the agenda.

16 CHAIR PORTER: Second?

17 MEMBER TAYLOR: Second.

18 CHAIR PORTER: Motion from Ms. Moody,
19 a second from Mr. Taylor that we delete item number "vi" from
20 the agenda.

21 Discussion?

22 (Pause)

23 CHAIR PORTER: Hearing none, all in
24 favor say "aye."

25 THE BOARD: Aye.

1 CHAIR PORTER: All opposed, like sign.

2 (Pause)

3 CHAIR PORTER: Motion carried.

4 MS. QUESTELL: The next agenda item is

5 to consider a request for reimbursement by Eloqui Wireless

6 Company. Last November the Board received an inquiry from

7 Eloqui Wireless about a bill it received from Frontier

8 Communications last February. And the February bill included

9 the following charges for E-911 circuits:

10 \$1,594.50 for charges incurred on

11 February 16, 2003;

12 \$37,000 for charges incurred for

13 February 16 through December 31, 2003;

14 \$41,000 for charges incurred between

15 January 1 and December 31, 2004.

16 Frontier allegedly told Eloqui that

17 these unbilled items had been discovered during a routine

18 audit of accounts. Eloqui inquired to the Board whether it

19 would reimburse such old charges.

20 We've checked with the Fiscal Office

21 in our Department of Commerce and Insurance, and we were told

22 that they see no problem with providing such belated

23 reimbursement, so long as the charges would have been

24 reimburseable had they been timely filed. These charges,

25 which are for E-911 circuits, are, clearly, reimburseable and

1 the delay did not appear to be the fault of Eloqui.

2 Staff is just wanting to make a record
3 to establish that you authorized us to reimburse Eloqui under
4 these circumstances. This is the same procedure we've used
5 previously when we've been asked to provide reimbursements
6 that were untimely.

7 Staff would recommend that you
8 authorize this reimbursement. And we've asked a
9 representative of Eloqui to be present, in case you have any
10 questions.

11 Is there a representative of Eloqui?

12 (Pause)

13 MS. QUESTELL: Thank you.

14 CHAIR PORTER: Let me -- maybe we can
15 get this in the motion, too. With Frontier being the LEK that
16 services our county, we actually got into the same problem
17 with them. They did an audit, I guess, of all their lines and
18 circuits, and so forth, and there was a circuit -- not at our
19 fault -- but that they had stopped billing us for. And, you
20 know, when you get a \$4,000-a-month telephone bill, you don't
21 go through it every month and see if every circuit is there.
22 And they -- we were told that they would just start billing it
23 from that day forward, when they found it; that they would not
24 go back and back-bill it.

25 I guess, if we approve this, the only

1 thing I'd ask is, that we make part of the motion that our new
2 attorney research with the DRA and make sure that there's not
3 a reg sitting at the DRA that would prevent them from going
4 back and back-billing for years. We're looking at three years
5 ago, when it was actually not -- it was not Eloqui's fault
6 that it wasn't billed. It was a Frontier internal billing
7 problem, and see if, maybe, we couldn't get some of that
8 waived or whatever.

9 I know we got -- we didn't have to go
10 back and pay any of our past bills. Of course, it wasn't
11 anywhere near the amount that this one is for.

12 I just wanted to throw that out before
13 any motions come up, that maybe knowing that little bit of
14 information might help in the motion.

15 (Pause)

16 CHAIR PORTER: You've heard the
17 request of Staff on the reimbursement for Eloqui. Do I hear a
18 motion?

19 MEMBER TAYLOR: I so move,
20 Mr. Chairman.

21 CHAIR PORTER: Do I have a second?

22 MEMBER COBB: I second.

23 CHAIR PORTER: Motion by Mr. Taylor
24 and a second by Ms. Cobb to approve the reimbursement of
25 Eloqui.

1 Are you-all okay with it being in the
2 motion --

3 MEMBER TAYLOR: Oh, yes, sir.

4 CHAIR PORTER: After our attorney --
5 only after our attorney approves it.

6 MS. QUESTELL: Excuse me. I'm sorry.
7 The attorney may want to negotiate with Frontier and see,
8 because it's so delayed, to see if they will reduce the fee,
9 too. That would be a possible route to take to see what we
10 could do to make it less.

11 CHAIR PORTER: It might save us some
12 money. Because even though Eloqui is paying it, we're turning
13 right around and reimbursing them. So it's actually our
14 money.

15 MEMBER MOODY: Should we, in
16 conjunction with this, have our attorney look at this whole
17 issue and come back to the Board with a policy recommendation
18 relative to that issue, in case that matter were to come up in
19 the future?

20 CHAIR PORTER: Sure. Is the motion
21 and second okay with that?

22 MEMBER TAYLOR: Yes, sir.

23 MEMBER COBB: Yes.

24 CHAIR PORTER: Any other discussion?

25 (Pause)

1 CHAIR PORTER: Hearing none, all in
2 favor say "aye."

3 THE BOARD: Aye.

4 CHAIR PORTER: All opposed, like sign.

5 (Pause)

6 CHAIR PORTER: Motion carried.

7 Lynn.

8 MS. QUESTELL: The next item is to
9 consider the explanation of Hawkins County Emergency
10 Communications District for their failure to timely file the
11 compliant annual audit report.

12 On January 6th, 2005, the Board
13 received a letter from the Division of County Audit in the
14 Office of the Comptroller of the Treasury. This letter said
15 that Hawkins County Emergency Communications District failed
16 to timely file its audit report that was due on June 30th,
17 2004. The letter said that the audit was finally filed on
18 December 27, 2005. And then it had reporting deficiencies of
19 such sufficient gravity that the audit report was rejected.

20 In addition, the letter also stated
21 that Hawkins had not filed its audit report for the fiscal
22 year ending June 30, 2005.

23 Tennessee Code Annotated 7-86-113
24 authorizes the Comptroller's Office to administer the ECD
25 audit program. Tennessee Code Annotated 7-86-108(d)

1 authorizes the Board to discipline districts that operate in
2 or fail to correct specific violations of state law, quote,
3 including but not limited to, the failure to submit an annual
4 budget or audit, end quote, by withholding the district's
5 share of the distribution of the wireless fee.

6 Staff requested that the Chairman
7 of Hawkins County Emergency Communications District,
8 Charles Sanders, and the Director of the District,
9 Gay Murrell, attend today's meeting. I understand that the
10 Chairman did not come, but the Secretary did. And Gay is also
11 here.

12 We would like to give them an
13 opportunity to explain the events that resulted in the letter
14 from the Office of the Comptroller, before the Board considers
15 an appropriate response.

16 So could the individuals from Hawkins
17 County, please, come forward?

18 (Pause)

19 CHAIR PORTER: Have a seat at the
20 microphone. And, if you would, each one of you introduce
21 yourselves, for the record.

22 MS. MURRELL: I'm Gay Murrell.

23 CHAIR PORTER: Pull the microphone to
24 you, and talk into it, please.

25 MS. MURRELL: Gay Murrell, the

1 Director of Hawkins County 911.

2 MS. DAVIS: Glenda Davis. And I'm
3 with the Hawkins County Sheriff's Department. And I'm the
4 secretary of the 911 board.

5 CHAIR PORTER: Did you get all of that
6 for the record?

7 THE REPORTER: Yes.

8 CHAIR PORTER: Gay, which one of
9 you-all is going to talk?

10 MS. MURRELL: I will.

11 CHAIR PORTER: Just talk directly into
12 the microphone, if you would, so we can hear you.

13 MS. MURRELL: Yes. The Chairman is
14 not here. He did receive his letter, but he chose not to come
15 today. Because of another engagement, he said he couldn't --

16 CHAIR PORTER: Can you elaborate a
17 little more on that?

18 MS. MURRELL: I wish I could. But I
19 cannot. I'm sorry, but I can't. He didn't give me any
20 explanation, and I don't have one for you.

21 CHAIR PORTER: All right.

22 MS. MURRELL: We have had board
23 meetings -- we're having one every three months now. Because
24 we're not able to have one each month. This issue has come --

25 CHAIR PORTER: Say that again. Can

1 you talk a little louder? We're having a problem hearing you.

2 MS. MURRELL: This issue has come up
3 several times about the audit. The Chairman has chose not to
4 put it on the agenda for the board meeting, just to go ahead
5 and give them more time. Give them more time. Give them more
6 time.

7 He asked that I call the office, the
8 Professional Bookkeeping office. I have done that. I did not
9 receive a call back. So I went to the office. And I was
10 standing in their office until someone would see me. And
11 usually it was a -- a young lady by the name of Debbie Davis.
12 She was handling all the work there.

13 She has promised me, "I'll get your
14 audit for you. I'll have it for you next week." Next week
15 would come; it didn't show up. The Chairman would say, "Give
16 them some more time." And this has gone on for two years.

17 CHAIR PORTER: Two years.

18 MS. MURRELL: So we received this
19 letter stating that my audit was due by the end of December.
20 They, all of a sudden, provided an audit for me for 2004. And
21 I sent the contracts in for 2005.

22 I received the audit; sent it in to
23 the State. And I received a call from the Comptroller's
24 Office that it would not -- it would not go through. He said
25 the deficiencies were just too numerous. And the contract

1 that Professional Bookkeeping has sent for 2005 didn't even
2 have our name on it. It was someone else's name.

3 Since then, I have found out that
4 the -- Mr. Vandervendor, the -- I guess the CPA of this
5 office, has had Alzheimer's for two years. So he is unable to
6 perform any work. And I don't want to elaborate on that too
7 much more. That's something for someone else to look at.

8 Since then, I have contacted
9 Mickey Ellis from Green County. And he has agreed -- and I
10 have his audit -- I mean, the contract signed, here in front
11 of me, for 2004 and 2005. And he has agreed take this on and
12 have both audits completed by February 28th of this year.

13 CHAIR PORTER: Questions of the
14 Hawkins County folks from the Board?

15 MEMBER MOODY: Has your board approved
16 entering into the contract with this Green County person?

17 MS. MURRELL: No, ma'am. We've not
18 had a meeting. And they should have. They should have to
19 approve that.

20 CHAIR PORTER: They have to approve
21 that.

22 MS. MURRELL: They have to approve
23 that.

24 Well, the Chairman has signed these.

25 CHAIR PORTER: The way I understand

1 contracts -- and you would be the man, Charles -- but wouldn't
2 the Board have to vote on the contract?

3 MEMBER BILBREY: Yeah. But this goes
4 beyond that, I think. You said the Board doesn't meet or
5 participate, or what did you say, exactly?

6 MS. MURRELL: We have a board meeting
7 every three months, if we have enough participation. And
8 there are several months that go by that we do not -- we do
9 not have participation.

10 MEMBER BILBREY: Lack of interest or
11 what?

12 MS. MURRELL: Lack of interest. It's
13 not important enough for the board members to come to the
14 board meeting and to discuss the business that we have on
15 hand.

16 CHAIR PORTER: That's a real problem.

17 MEMBER BILBREY: That is a problem.

18 MS. MURRELL: It's a very big problem.

19 MEMBER BILBREY: Who appointed the
20 board members?

21 MS. MURRELL: The Mayor? The County
22 Mayor.

23 Well, let's go back a little bit. I
24 started at 911 in 1993. There has been one board member on
25 that board ever since I have walked in the door. And that's

1 been Mr. Sanders. Except for maybe three or four years, he
2 has been the chairman of that board. That has never changed.
3 It has not come up for a vote, and it has never changed.

4 CHAIR PORTER: They don't elect
5 officers every -- every year?

6 MS. MURRELL: She was elected as
7 secretary (indicating), and that was the last election there
8 was.

9 CHAIR PORTER: In the last 12 months,
10 how many times has your board met that they had a quorum and
11 actually did business?

12 MS. MURRELL: Twice.

13 CHAIR PORTER: Folks, I --

14 MEMBER BILBREY: I don't know what to
15 say.

16 CHAIR PORTER: I don't either.

17 MEMBER MOODY: Could I?

18 Is the County Mayor aware of the state
19 of affairs with the board and so on?

20 MS. MURRELL: I would say no. Because
21 it's never been brought up to that office. When someone is
22 elected onto the 911 board, no one else ever knows that,
23 except for the organization that appoints that person. Like
24 the Firemen's Association, they have a representative from
25 that association come to our board. No one else ever knows

1 that. It was my understanding that that has to be approved by
2 the County Mayor.

3 CHAIR PORTER: It does. The County
4 Mayor appoints them, and the County Commission has to ratify
5 them. So you're saying none of those --

6 MS. MURRELL: That is not being done.
7 No, sir, it is not.

8 MEMBER LOWRY: That's not a board.

9 CHAIR PORTER: It's not.

10 Of course, the other thing the law
11 says, though, until new members are appointed, the old ones
12 can stay in and do it. But that's still -- that's bad
13 business.

14 MS. QUESTELL: Do you have an
15 inter-local agreement that addresses the appointment of board
16 members, or anything like that?

17 MS. MURRELL: No, ma'am.

18 MS. QUESTELL: Then you're right. It
19 has to be done by the County Mayor.

20 CHAIR PORTER: Folks, I don't know
21 about you-all, but hearing this makes me want to open up some
22 kind of internal audit review of Hawkins County, of the
23 goings-on down there. I think that Staff needs to be talking
24 to the County Exec and find out how much knowledge they have,
25 what the law actually says, and why this hasn't been going on.

1 Gay, financial-wise, what kind of
2 shape are you in? I mean --

3 MS. MURRELL: We're in terrible shape.

4 CHAIR PORTER: When you say
5 "terrible," how much cash do you have on hand right now?

6 MS. MURRELL: \$17,000. And I have
7 payroll next week.

8 CHAIR PORTER: One of my suggestions
9 was going to be that we withhold your wireless money until we
10 get something good. But we don't want to put you in
11 bankruptcy.

12 MEMBER LOWRY: She's called me many
13 times, very frustrated on what to do. And, of course, I've
14 tried to help her as much as I can. But she's in a very
15 peculiar situation as far as no cooperation.

16 Didn't some of your money get cut the
17 last --

18 MS. MURRELL: Yes. We have had
19 \$50,000 cut in the last two years by our County Commission.
20 Now I found out that my chairman -- excuse me. I'm so
21 aggravated. That the chairman had gone, two years ago, to the
22 County Commission Budget Committee and said that we would take
23 a cut, that we were able to take a cut. He did this on his
24 own. And he called me while I was on vacation, and told me,
25 "Well, I told them we could take a little cut."

1 When I came back -- it was \$25,000.

2 And then this year, it was another \$25,000. And no
3 explanation from the County as to why, why we were cut that
4 money. It was -- I know, personally, why. And it was a
5 personal matter. And we have been dealing with personal
6 matters in Hawkins County for the last two years.

7 CHAIR PORTER: When's our next board
8 meeting?

9 MS. TELFORD: April 20th.

10 MEMBER BILBREY: They can't wait that
11 long. We need to do it -- do something.

12 CHAIR PORTER: I would --

13 MS. MURRELL: Please don't wait.

14 CHAIR PORTER: No. I'm trying to
15 think. We want to get Staff involved and start looking into
16 this whole thing, but I'm looking at having a report back, if
17 we need to take any action on that, of having a special-called
18 meeting to do that, in the meantime, between now and April.
19 And I think -- maybe not set up a meeting date today, but
20 leave it at the call of the Chair that if we get into this and
21 we find out we need to have a special-called meeting, we'll
22 just have an emergency meeting. If we have to, we could have
23 a teleconference, if we had to. If it's an emergency.

24 But until then, Lynn and Rex and Don
25 and all these folks get into the middle of it and find out

1 what all is -- you know, is going wrong there.

2 MS. MURRELL: This is not the first
3 time that you-all had to come to Hawkins County. Last time it
4 was over a rate increase.

5 CHAIR PORTER: I came then. I
6 remember that.

7 MS. MURRELL: Lynn, I believe you were
8 there also. No --

9 CHAIR PORTER: That was before Lynn's
10 time.

11 MS. MURRELL: And I thought things
12 were going to get better at that point. And they did for a
13 little while.

14 CHAIR PORTER: Well, everybody assured
15 us they would get better.

16 MS. MURRELL: The County Executive set
17 \$140,000. And that was set and, you know, if we went on with
18 the rate increase that would be cut. Well, that's been cut.

19 CHAIR PORTER: So now out of the 140-,
20 how much do they give you?

21 MS. MURRELL: 100,000.

22 CHAIR PORTER: So they cut you 40,000?

23 MS. MURRELL: Yeah, 40,000.

24 MEMBER MOODY: Are you saying you're
25 not getting all of the funds generated from the rate increase?

1 MS. MURRELL: No, ma'am. We're
2 getting the funds. Yes, ma'am.

3 MEMBER MOODY: Are you getting the
4 level of funding at the local level that this Board approved
5 at the time of the rate increase?

6 MS. MURRELL: No, ma'am. No, ma'am.
7 We are not.

8 MEMBER BILBREY: We need to do
9 something in a hurry and get this county audited. They need
10 to do a very thorough study analysis, whatever you want to do,
11 but come back with what our options are. And if we need to
12 call a board meeting, let's call one.

13 MS. DAVIS: May I say something?

14 CHAIR PORTER: Sure.

15 MS. DAVIS: When I was appointed to
16 this board to represent the Hawkins County Sheriff's
17 Department, it was mandated that I attend those meetings.
18 There was no excuses made. We do have a County Commissioner
19 that has told us that he never receives his notices of
20 meetings.

21 I send those out to all of them. I
22 don't get a return from any of them. None of their addresses
23 have changed, since I've been on the board. And I've been
24 there quite a while. And I think a lot of it is just a lack
25 of interest on the Board's part. I think that it should be

1 made a requirement, if you're appointed to that board you
2 should be --

3 CHAIR PORTER: It is.

4 MS. DAVIS: -- you know, that you
5 should attend those meetings or you have a good excuse.

6 CHAIR PORTER: I think if you miss,
7 what, three meetings, you're automatically off.

8 MS. QUESTELL: What I would like to
9 ask you to do, if you would, is to give me a -- send me, when
10 you get back, a list of your scheduled meetings and the
11 attendees and a list of all the members that are supposed to
12 be there.

13 Do you send your notices out by
14 certified mail?

15 MS. MURRELL: They're not certified.

16 MS. QUESTELL: We don't send certified
17 mail either. I was just asking.

18 CHAIR PORTER: Charles, do you want to
19 put kind of what you said into a motion? Directing Staff to
20 start an immediate investigation --

21 MEMBER BILBREY: Yes. Staff needs to
22 start an investigation, as soon as possible. Get with the
23 County Audit and see where they are on it. And I say to do a
24 thorough study analysis, or whatever you want to call it. And
25 then as soon as possible, call another meeting and get back to

1 the Board with the options -- of what our options are. And
2 let's get something going in a hurry.

3 CHAIR PORTER: Do I have a second?

4 MEMBER TAYLOR: Second.

5 CHAIR PORTER: Second by Mr. Taylor.

6 Any discussion?

7 (Pause)

8 MEMBER TAYLOR: I would just hope that
9 you would take a look at the minutes for the last couple of
10 years.

11 CHAIR PORTER: Yeah. See what's been
12 going on.

13 MEMBER TAYLOR: And then I have a
14 question. Has the budget been approved?

15 MS. MURRELL: For this year? No, sir,
16 not yet.

17 CHAIR PORTER: Who signs your checks,
18 your expenditure checks?

19 MS. MURRELL: The secretary and the
20 chairman. That was a recommendation by this Board the last
21 time you-all come up. I take the money in; I receive the
22 checks. But I do not sign anything.

23 I'd like to recommend that when we
24 have the next meeting, that the Chairman of the Board and the
25 County Mayor be required to attend.

1 MEMBER BILBREY: We may have to go up
2 there and meet.

3 CHAIR PORTER: We can meet with them.
4 But we control the purse-strings on a lot of money in Hawkins
5 County, so they need to take this serious. My thing is,
6 people serving on 911 boards -- if they don't want to serve,
7 then, they need to get off and let somebody that is interested
8 in serving. And when the chairman is not willing to come to a
9 State 911 board meeting, to me, that just throws up a big red
10 flag that there's problems. Because that doesn't sit well with
11 anyone, I don't think.

12 MS. MURRELL: I do want to say, I
13 appreciate everything that Lynn has done.

14 MS. QUESTELL: Thank you.

15 CHAIR PORTER: Hopefully, we can help
16 you get straightened out. Let's just see how bad it is,
17 first.

18 MS. MURRELL: It's bad.

19 MEMBER MOODY: One question on
20 Charles' motion. I assume that this is an all-encompassing
21 motion, not just dealing with financial? Because it appears
22 to me that financial is symptomatic of some other kind of
23 problems and issues that need to be dealt with.

24 MEMBER BILBREY: It covers everything.
25 Whatever you need to do.

1 MEMBER MOODY: Total operation. Okay.

2 Good.

3 MS. MURRELL: And I welcome that.

4 That is great news for me.

5 CHAIR PORTER: Well, you've cooperated
6 with us and Staff very good. I don't think anybody has any
7 qualms. You're just kind of the messenger today. So don't
8 take it we're trying to shoot the messenger.

9 MS. MURRELL: That's fine. This is
10 what I was hoping for.

11 CHAIR PORTER: It's your board that's
12 ultimately responsible for what goes on in that district, and
13 they're the ones that are ultimately responsible.

14 Any other discussion on the motion?

15 MEMBER LOWRY: Is she to proceed on
16 with their audit process?

17 CHAIR PORTER: Until that contract is
18 approved by her board, I don't think she can.

19 MS. DAVIS: Can we call a
20 special-called meeting to approve that?

21 MEMBER TAYLOR: Anytime.

22 CHAIR PORTER: Tonight, if you wanted
23 to, if you could get a quorum. But I don't think until the
24 Board gives approval -- is that right, Charles? It has to be
25 approved by the Board before a contract can be entered into?

1 MEMBER TAYLOR: Don't you have to have
2 the Comptroller's approval on the audits? You have a couple
3 steps, yet, to go.

4 And I want to commend both of you for
5 being here today. Secretary, I appreciate your efforts in
6 this thing. You may be the only hope the Board has.

7 MS. MURRELL: And I'd call the
8 Commissioner myself, if I were you, and tell him when the next
9 board meeting is.

10 MS. DAVIS: He's in my office, quite
11 often, and he's been told.

12 MS. QUESTELL: If you're going to hold
13 a special meeting you need to have -- you need to provide
14 notice, the regular notice. And post it around, so that any
15 decision that they make will be an official decision. So,
16 please follow the notice requirements.

17 MS. MURRELL: Let me say something
18 else. And I'm glad you said that, Lynn, because I forgot
19 completely. I asked the Chairman to call a special-called
20 board meeting when I received the phone call from the
21 Comptroller. And he said, "No." He said, "Send a letter to
22 each board member explaining what has been done and -- I'm
23 glad you said that -- and just tell them we've gone ahead and
24 got a contract with Mr. Ellis out of Green County."

25 MEMBER MOODY: I wonder, in

1 conjunction with this, if Lynn should not send a letter to the
2 County Mayor and Chairman of the Board and also the Executive
3 Director specifying what actions this Board has taken today,
4 so that they will be aware that we are knowledgeable about the
5 situation and expect something to be done.

6 MEMBER BILBREY: Quickly.

7 MS. QUESTELL: I will do that,
8 immediately.

9 CHAIR PORTER: Any more discussion on
10 the motion?

11 (Pause)

12 CHAIR PORTER: Hearing none, all in
13 favor say "aye."

14 THE BOARD: Aye.

15 CHAIR PORTER: All opposed, like sign.

16 (Pause)

17 CHAIR PORTER: Motion carried.

18 Thank you for coming. And just make
19 sure you stay corresponding with Lynn on everything that's
20 going on up there.

21 MS. MURRELL: Thank you.

22 CHAIR PORTER: The last item on the
23 agenda is to consider an explanation from Lauderdale and
24 Haywood County ECDs for their failure to obtain a GIS mapping
25 system in the allotted amount of time.

1 Do we have somebody here from
2 Lauderdale?

3 MS. QUESTELL: They just arrived.

4 CHAIR PORTER: How about Haywood?

5 MS. QUESTELL: Yes.

6 CHAIR PORTER: Haywood, would you like
7 to come on up?

8 (Pause)

9 CHAIR PORTER: State your name for the
10 record.

11 MR. STEVENS: Yes. Joe Stevens. I'm
12 chairman of the board there.

13 CHAIR PORTER: Joe Stevens, the
14 chairman of the Haywood County Emergency Communications
15 District.

16 Joe, the reason we have you here today
17 is because of Haywood's lack of having a contract in place on
18 December 31st for the GIS mapping. And I think you wanted to
19 give us an explanation of why that happened.

20 MR. STEVENS: Well, I mean, it's our
21 fault. I don't want to try to put blame anywhere than where
22 it belongs. And as chairman of the board there, it was my
23 responsibility, I guess, to, you know, have this done in a
24 timely fashion. We are -- we're working on that. We have a
25 contract. I have it here with me for you to get a copy of.

1 CHAIR PORTER: Can we see it?

2 MR. STEVENS: Sure. We have not
3 signed it at this point.

4 CHAIR PORTER: I don't think we need
5 to see it, then.

6 MR. STEVEN: Well, okay. Because we
7 are in the process of getting a couple of things changed that
8 we did not feel comfortable with. Mr. Rex has looked at it.
9 And he made a couple of suggestions. And we, also, had a
10 couple of suggestions that they did not completely agree with
11 what we asked for, and therefore, we do not have a signed
12 contract at this point.

13 They were supposed to fax me
14 something, again, yesterday to enter in here. I did not
15 receive that. He apologized this morning and told me I would
16 have it today. But again, that doesn't do me any good for
17 this meeting, today.

18 CHAIR PORTER: What company are you
19 working with?

20 MR. STEVENS: This company is Geocom.
21 It's in agreement with Southern Software. We have a -- what
22 we're doing right now, we're going to have a CAD system.
23 We're in the process of purchasing a CAD system. We have
24 signed a contract for the CAD system with Southern Software.
25 And Geocom is a mapping vendor for Southern Software.

1 And we are, like I said, trying to fix
2 a couple of things there that are really -- I'm assuming --
3 according to them, minor, but I want it in writing before we
4 sign anything. So therefore, that's the reason we do not have
5 a contract here for you today to see, as far as a signed
6 contract.

7 But we are working. I think we will
8 have it done. And, again, I don't know if, you know, we can
9 meet the March 31st deadline as far as having it implemented.
10 I don't even know if that's an option at this point because
11 it's up to you-all's opinion as to whether you're going to
12 grant us the extension or not. You know, we're trying our
13 best there to do -- to do what we can to meet these
14 obligations.

15 You know, we operate a little bit
16 differently than some other counties. We don't actually have
17 a director of 991. We have a central dispatch that has a
18 dispatch director. But he is not -- he does not work with the
19 911, the way that things are set up. He is in charge of the
20 dispatch center.

21 CHAIR PORTER: Who does the day-to-day
22 operations of the 911 board?

23 MR. STEVENS: The day-to-day
24 operations of the 911 board? He does the updates, as far as
25 updating the information in the 911 computers. We have a

1 contract with -- I say it's a contract. We have an agreement
2 with the local building -- county building inspector that goes
3 out and, actually, does our numbering for us. So we,
4 actually, don't have an office. As far as 911 is concerned,
5 we don't have a office or a director or anything like that.

6 Whatever is done falls upon the
7 chairman of the board or the members of the board as far as
8 continuing to do the day-to-day operations. But all of that
9 is done within, you know, the dispatch center. Like I said,
10 he updates and keeps the 911 database updated.

11 CHAIR PORTER: Do you think that that
12 might be part of what the problem is, in that not having
13 somebody that would have been keeping up with what's going on
14 at the board meetings and been able to do that and advise you
15 that this \$50,000 was out there and it's been out there for
16 several years, and it was something that you were going to
17 have to do?

18 MR. STEVENS: Again, I was aware of
19 that. I mean, I've been chairman of the board for a while.
20 And we've been working on several different ways of getting
21 this done in order for us to, I guess, save money in the long
22 run. You know, we've been working with the Rural Utility
23 District, as well as the City of Brownsville, which is our
24 only incorporated municipality in Haywood County, in order to
25 get some GIS information that they have gathered. And we've

1 worked out an agreement with them to share some costs and
2 share with -- to share in putting the information together.

3 The City has -- their complete city is
4 GPS at this point. And they're willing to share that
5 information with us. The Rural District is currently in the
6 process of getting GPS done. They're changing their
7 {leader-basis on the buildings. And when they're doing that,
8 they're GPS'ing each location. And they're going to share
9 that information with us.

10 And so, I mean, long-term, what we're
11 trying to do is keep from putting people on staff and creating
12 more of a drain on, you know, our district. And by doing so,
13 it's taking a little longer to get things done. And then,
14 again, you know, I'm a businessman. I own my own business,
15 and I have to, you know, do things, and it's when I can work
16 it into my schedule list as best as I can. Because that has
17 to, I guess, come first. You know, take care of my family, as
18 well as the people that work for me.

19 MEMBER BILBREY: What is your
20 position?

21 MR. STEVENS: I'm chairman of the
22 board.

23 MEMBER BILBREY: And who is the
24 director of E-911.

25 MR. STEVEN: We don't have one.

1 MEMBER BILBREY: So we really don't
2 have a 911, period. There is no --

3 MEMBER TAYLOR: I would just say,
4 being a neighbor of Haywood County, Mr. Johnson --
5 Mr. Henry Johnson was a very strong individual. He was the
6 Chair over there for a long time. I think he was mayor of one
7 of the unincorporated municipalities. And he did a great job
8 of 911 over there.

9 And they had a real strong mayor that
10 worked with Mr. Henry. That mayor left for a while. But he's
11 back again.

12 And, frankly, I'm surprised. You
13 folks have lost, probably, about \$20,000 to the taxpayers of
14 Haywood County by dragging your feet on this issue, in
15 maintenance money. Because you lost last year's \$10,000. And
16 at the rate you're going, you're not going to meet this fiscal
17 year's goal. So you're not going to be eligible for the grant
18 also. So you've cost your taxpayers \$20,000.

19 On the issue of not having a full-time
20 911 director, I think their system, with the exception of the
21 GIS grant, has probably worked pretty well for Haywood County
22 and its size. With one municipality, they kind of -- they
23 kind of operate a central dispatch and the rest of it. Other
24 than this one example, I think they've been pretty much been
25 on the ball.

1 CHAIR PORTER: Did you-all get your
2 \$30,000 rural dispatcher grant?

3 MS. MURRELL: Yes, sir.

4 MR. HOLLAWAY: Mr. Chairman, I've been
5 there two or three times, and they have a very frugal, lean
6 operation. And I agree with what Mr. Taylor said. Up until
7 the technology issues that came along with wireless, Phase 2,
8 and Voice over IP, they've probably been, pretty much,
9 adequate, I guess.

10 I finally had to come work for the
11 State to get them to hire me. I've been trying to get him to
12 hire me for three years.

13 CHAIR PORTER: As it stands right now,
14 what's your best-guess estimate of when you'll have a contract
15 signed and when you'll have a completed project?

16 MR. STEVENS: I'll be honest, I'm very
17 disappointed that I don't have one today. We met, again,
18 Monday of this week. And due to, again, some changes that we
19 wanted in the wording of the contract at that point -- that
20 was when it was determined we wanted some changes. And they
21 sent us something back; it was not, in our opinion,
22 acceptable. So we turned around and sent it back to them with
23 the changes in it. And I have the documentation for that.

24 But, again, I was supposed to have
25 received that this morning. But I do not have a copy of that

1 to present to you-all, today.

2 CHAIR PORTER: And then, what's your
3 best-guess estimate as to how long the project will take to be
4 completed?

5 MR. STEVENS: They tell me they would
6 like five to six months. They think they can do it in less
7 time than that, but that's -- as far as in writing, you know,
8 six months is what they want. But he tells me that he
9 thinks -- normally, it's 90 to 120 days. But that's what they
10 would like to have.

11 You know, again, we're putting
12 together several other things in addition to this. We have
13 gotten funding from the County Commission and the City Board
14 to purchase a state map that they're producing and implement
15 all of that into this same program -- the plat information,
16 the GIS information -- and we're putting all of this together
17 at the same time.

18 And one reason it is taking us as long
19 as it has to do this, we put that altogether in our original
20 RFP that we sent out. And it really took a lot longer than I
21 expected to get local approval in order to move forward. I
22 mean, we actually only received local approval to move forward
23 on the total package on January the 17th.

24 CHAIR PORTER: I think, maybe, you may
25 be trying to do too much in the beginning. You know, if your

1 City already has GIS data that's already there, you could
2 take their data, you could take the base mapping program's
3 GDT Tele Atlas data; they could put that together; and if the
4 company wanted to, probably have you running with GIS in a
5 week or so. You know, then you can add all of the rest of
6 that data on, as you go forward. But at least have your
7 mapping up so that you can plot a Phase 2 call. And that's
8 not that hard to do.

9 MR. STEVENS: Well, I'm not a
10 technical person, at all, on this kind of thing. I do know
11 that the information that the City has is going to have to be
12 set up in a different language. It's not ISA based language,
13 it's a SmallWorld language. So it's going to have to be
14 converted. And I don't know how long that takes.

15 CHAIR PORTER: It's not that big of a
16 deal.

17 MR. STEVENS: I don't claim to know
18 that.

19 But, you know, we -- maybe we took too
20 much on at one time. I don't know. We felt like that it was
21 better to have a package deal so that everything was under one
22 entity, so to speak, so that, you know, this one wasn't trying
23 to transfer blame. "This won't work because that one did it."
24 We've been through that with some other things before. So we
25 kind of wanted to put everything together. That was my

1 suggestion, as well as a couple of others. So that's probably
2 my fault, too.

3 MR. HOLLAWAY: Six months is not a bad
4 time-line for procurement through installation, completion for
5 that type of project. The problem is that you're starting too
6 late. It really should have started early last fall, the
7 procurement process. I think the bids, really, didn't go out
8 until December, did they?

9 December. So the bids have just been
10 out a little over a month, and they're ready to go to
11 contract. So they've moved pretty fast through the actual
12 procurement process.

13 CHAIR PORTER: Rex, you know as well
14 as I do, putting in mapping and adding that data is a very
15 minute time. That doesn't take long to do.

16 Now, if you're talking about
17 installing a whole CAD system -- now, we're not talking about
18 that. We're just trying to get them up with GIS mapping. And
19 that's a --

20 MR. HOLLAWAY: Well, they've got to
21 put the whole system in, first, to get there. I'm sure that's
22 where it's at, at the time.

23 CHAIR PORTER: They're doing the CAD
24 and everything altogether. I understand that.

25 MEMBER TAYLOR: We did the same thing.

1 And we probably took two years to look at this process of
2 integrating CAD and GIS and all that stuff. So I understand
3 what a tough task you have. And I'd like to see them have the
4 six months.

5 I mean, they're, obviously, making a
6 good faith effort. I mean -- like I -- I keep beating a dead
7 horse, they cost the taxpayers \$20,000 already.

8 CHAIR PORTER: You want to put that in
9 the form of a motion?

10 MEMBER TAYLOR: I would so move.

11 CHAIR PORTER: Mr. Taylor moves that
12 we give them six months to complete the project.

13 What happens at the end of six months
14 if they don't?

15 MEMBER TAYLOR: It would be up to this
16 Board to decide.

17 CHAIR PORTER: Do we have a second to
18 that motion?

19 MEMBER COBB: I'll second.

20 CHAIR PORTER: Second by Ms. Cobb.

21 Now discussion.

22 Ms. Wanda.

23 MEMBER MOODY: One question I have,
24 and I sense that maybe Mr. Stevens is having some difficulty
25 in negotiating with GeoConex --

1 CHAIR PORTER: Geocom.

2 MEMBER MOODY: Geocom. I'm sorry.

3 Geocom, as a vendor. And I just wonder if, do you need some
4 technical help in terms of trying to negotiate that contract?

5 MR. STEVENS: I'm open to anybody
6 helping. I mean, I've asked Mr. Rex on several occasions to
7 come down. And he looked over our RFP. Of course, we got a
8 sample from you-all, and he looked over that.

9 He's been back and looked at the
10 proposals that they sent back. And he has, again, reviewed
11 the contract for us. And he actually is the one that made one
12 of the suggestions that we asked to be changed.

13 If you've got other suggestions, I'm
14 definitely open to anything. Because I don't want to waste
15 any taxpayer's money, whether it be from the state level or
16 local level.

17 MEMBER MOODY: Are you getting
18 resistance on the part of your company to make those changes?

19 MR. STEVENS: I don't really think so,
20 at this point. One of the things we put out in our RFP that
21 we were going to -- and this was something we decided -- was a
22 third up front, as far as payments; a third at completion of
23 the project; and then we wanted to hold a third for 90 days to
24 make sure that everything was okay.

25 Well, when the contract came back --

1 Southern Software's contact was fine with it. When Geocom
2 came back, they used their standard contract; which was
3 20 percent down, monthly installments for the next six months;
4 and they had a 5 percent on the end. And we wouldn't accept
5 that.

6 MS. MOODY: I don't blame you.

7 MR. STEVENS: And so we sent that back
8 to them. And that was Monday. Well, then they -- that, and
9 the other issue of making sure -- we wanted, in writing, that
10 the equivalent that Southern Software was providing was in
11 writing, what is required by Geocom. Because, you know,
12 they're two separate entities. We wanted that in writing.

13 And those two issues are the two
14 things that we're waiting for. Those are the changes in the
15 contract.

16 CHAIR PORTER: Other questions or
17 discussion from the Board on the motion?

18 (Pause)

19 CHAIR PORTER: The only thing I'd like
20 to say is: I'm afraid if we don't put some teeth in some of
21 this stuff, to keep them from coming back -- I just worry
22 about at the end of six months they'll be back, and we'll be
23 right back where we are, if it doesn't have some kind of teeth
24 in it. But it's up to the Board.

25 MR. STEVENS: Well, I will say this:

1 If we don't have something done in six months, somebody else
2 can handle it. Because I'm going to step down, you know, if
3 it gets to the point that I can't handle it. I don't think
4 we're going to have any problems, at least not on our end.

5 And I, again, apologize to the Board
6 for having to take up your time today.

7 MEMBER MOODY: Do you not have a
8 backup vendor in case this company doesn't --

9 MR. STEVENS: We sent out several
10 proposals. We got five back. Two did not meet specifications
11 at all. One of them was a choice that we made due to checking
12 some references and stuff and we did not want to go with.

13 So that left us with two. And this
14 particular vendor was comparable with the other except for
15 price. This one was quite a bit less. I feel like it was
16 good. We checked references with numerous counties and
17 municipalities where they had service. They were very
18 pleased.

19 The other one was, approximately,
20 \$60,000 more expensive, total package-wise, than this
21 particular company. So that was the final reasoning behind
22 making the choice that we chose.

23 MEMBER LOWRY: Could we have Staff
24 report back to us at the next meeting on how things are going?

25 CHAIR PORTER: Sure. That would be

1 good.

2 Is the motion and second okay with
3 that?

4 MEMBER TAYLOR: Yes.

5 MEMBER COBB: Yes.

6 MEMBER LOWRY: In case we have to do
7 something different.

8 MR. HOLLAWAY: From my experience,
9 what he's going through, I don't think it's unusual. I mean,
10 he's asking for -- I think there's going to be a compromise
11 between him and the vendor. One of the major things we did
12 was -- I suggested was -- that they, by reference, include the
13 proposal as part of the contract. Just because the contract
14 really doesn't spell out a lot of the things discussed in the
15 proposal.

16 But I think -- most vendors will come
17 around. And there will be some compromise. And they'll be
18 some compromise on paper terms. He may not get the exact
19 terms you want, but I promise you, most vendors will -- if
20 they want the business, will adjust their paper terms.

21 MEMBER MOODY: I think included with
22 that motion is the fact that Rex needs to stay on top of this
23 and work with them. And even if it entails calling the vendor
24 to try to talk about some of the specifics of the contract, I
25 would hope.

1 MEMBER TAYLOR: If the Chair has
2 specific recommendations or ideas, I'd like to hear them as
3 far as maybe -- if not necessarily a drop dead on the date but
4 a penalty. I'd like to hear your --

5 CHAIR PORTER: I was thinking of a
6 10 percent penalty. Instead of them getting 50, they'd only
7 get 45 if it goes past the six months. And so much penalty
8 for each month after it goes past the six months.

9 MEMBER TAYLOR: If the second would be
10 agreeable, I don't have a problem with that.

11 CHAIR PORTER: Let's see, the second
12 was Ms. Cobb.

13 MEMBER COBB: I agree.

14 MR. HOLLAWAY: So would the date be
15 June 30th? Is that the date we're --

16 CHAIR PORTER: February, March, April,
17 May, June, July.

18 MR. HOLLAWAY: Six months from the
19 December 31st deadline or --

20 MS. QUESTELL: From today.

21 CHAIR PORTER: From today, is what I
22 was thinking. Is that what you had --

23 MEMBER TAYLOR: Either today or the
24 date the contract was signed. Provided the contract signs in
25 a couple of weeks. I wouldn't want to go much beyond that.

1 CHAIR PORTER: How about we say
2 July 30 or 31st? July 30th. And then they lose 10 percent if
3 it's not done by that day, and another 5 percent each month --
4 for every month it goes past that?

5 MEMBER LOWRY: And we'll have,
6 probably, at least two updates before then on what's going on.

7 CHAIR PORTER: On what's going on, if
8 we need to step in and do something else.

9 Is that agreeable with the motion and
10 the second?

11 MEMBER TAYLOR: It's agreeable with
12 me, if it is with the second.

13 MEMBER COBB: I agree.

14 CHAIR PORTER: Any other discussion?

15 (Pause)

16 CHAIR PORTER: Hearing none, all in
17 favor say "aye."

18 THE BOARD: Aye.

19 CHAIR PORTER: All opposed, like sign.

20 (Pause)

21 CHAIR PORTER: Motion carried.

22 Thanks for coming today. And,
23 hopefully, you'll get everything going in the next six months.

24 CHAIR PORTER: The next one is
25 Lauderdale. Do we have folks here from Lauderdale?

1 MR. GAY: Yes, you do. After that,

2 I'm not sure I want to come up there.

3 (Laughter)

4 MR. GAY: He's further along than we

5 are.

6 CHAIR PORTER: That's not a good

7 thing.

8 MR. GAY: Do you think I want to be up

9 here now?

10 CHAIR PORTER: Would you state your

11 name for the record, so that the reporter --

12 MR. GAY: My name is Jonathan Gay.

13 I'm the director of the 911 from Lauderdale County. And I'm

14 coming with more in my hands than what Joe had, and we're

15 neighbors.

16 I've got a packet that I put together.

17 I'm not sure --

18 CHAIR PORTER: Talk right into the

19 mic --

20 MS. QUESTELL: One of those mics do

21 not work well.

22 MR. GAY: Well, that seat is still

23 hot.

24 (Laughter)

25 MR. GAY: I'm glad I have my own motor

1 right now, because I can leave at any time.

2 I've got a packet that I put together,
3 and I'm not sure that I even have a venue for that. Because,
4 basically, what you guys have just said to Joe Stevens, I
5 really don't have any excuse. Because, yes, this came down in
6 2002, we -- Lauderdale County has seen three of the GIS
7 programs. We even saw one in 2004 in the midst of quite a bit
8 of turmoil in our county with our district.

9 What I was going to try to explain to
10 you was all the turmoil we've had.

11 You know, I prepared this thing. Let
12 me just -- let me -- do you-all want copies of some the
13 articles that I'm going to mention here? Because I've got
14 nine copies.

15 MS. QUESTELL: We'll need to give one
16 to the court reporter to make a part of the official record.

17 (Exhibit 1, Lauderdale County's
18 packet of documents, marked.)

19 CHAIR PORTER: Jonathan, be as precise
20 as you can be, at the same time hold it down.

21 MR. GAY: It's nine pages, but it's
22 big print. How's that?

23 CHAIR PORTER: We can always go back
24 and read it ourselves, if we need to. Just kind of hit the
25 high points, if you want to.

1 MR. GAY: I'd rather take it as a
2 question-and-answer session, to tell you the truth.

3 The thing that happened to us,
4 Lauderdale County, prior to 1999, we were dispatched by one of
5 our local entities, the City of Ripley. And what they were
6 doing, they were taking from us a sum of money and
7 dispatching. They were not our employees. They were City of
8 Ripley's employees. We were getting complaints, but because
9 they were not our employees, we could not do a whole lot with
10 it.

11 We have been trying for three years --
12 understand this, three years. How many politicians do we have
13 on this board? Before I say something I wish I didn't.

14 We were trying to get our local
15 politicians to understand the significance of having a central
16 dispatch, as opposed to having three separate dispatcher
17 centers in a 27,000 population county.

18 That's what we are, 27,000. We have
19 three dispatch centers. We were trying to get them to
20 consolidated. And we got into who is going to pay for it, and
21 who's going to be in charge of it. And that got stretched and
22 stretched and stretched.

23 In 1999 we finally entered into a
24 five-year inter-local governmental agreement to where the
25 district would employ and take on the liability -- would take

1 on private employment to financing of dispatchers and handle
2 911 calls and as much of the law enforcement and ambulance in
3 the county that we could. And we did. We wound up with
4 everything except the City of Ripley.

5 In the midst of this, we had an
6 employee that became a bit disgruntled, who took the decision
7 of the board, which was to accept her resignation, and took it
8 to our sheriff -- and I hate to use proverbial words -- but
9 we'll just say, things started getting worse.

10 The Sheriff came to the Board and said
11 I'm removing our participation in the agreement. And when he
12 said that, the Board -- our Board had to make the decision on
13 where we were going. Because at that time we were housed in
14 the Criminal Justice Complex in our county. The Sheriff is in
15 control of the Criminal Justice Complex because the jail is
16 there. And we got kicked out.

17 That, being removed from the County's
18 building, cost us about \$215,000. And the reason it did is
19 because we didn't have a place to live. So we had to buy a
20 building. That cost us 92,000. We had to renovate. That
21 cost us 26,000. We had to put up a radio tower. That cost us
22 12,000. We lost 156,000 from our budget. Because while we
23 were dispatching, the other entities were participating in the
24 monetary consideration. All right. When the Sheriff pulled
25 out, the rest of the entities pulled out with the Sheriff,

1 because they're law enforcement, and who is the power of law
2 enforcement of the county? The Sheriff. So the little cities
3 don't even maintain a staff after midnight. We lost all of
4 that.

5 This is the time that we were doing
6 and starting the GIS mapping. Yes, our first was GIS and the
7 CAD. GeoConex came in to us and gave a demonstration in
8 January of 2004. And the bill that they submitted was
9 \$120,000. Even with the 50,000 from this Board, the only
10 thing I could think of, and my mind-set for the Board was
11 we've got to come up with \$70,000 to bring everything
12 together.

13 Now, I understand, now, in going back
14 and doing this to prepare for today, we were -- you guys are
15 just talking GIS, not CAD. But what -- I hope you-all can
16 understand, the mind-set that we had is: Here it is. We put
17 it all together, and this is what it's going to cost.

18 We don't have a CAD system. When we
19 were asked to leave the Sheriff's Department, the CAD system
20 we had was his, so it stayed there as part of the jail
21 management system. Even today we don't have a CAD system. We
22 write complaint cards on a computer. But when we were let go,
23 the only thing that the 911 system was doing was handling 911
24 calls. And we were transferring those. We were not direct
25 dispatching for anybody. That's what we were reduced to.

1 It has been a blessing and a curse.
2 The reason I'm here today is on the curse end. Not to curse
3 you guys, but to show you-all how we've been sort of
4 mistreated. I'm trying to pick words here and not offend
5 anybody.

6 But we were. We have been. And it
7 was because of our fiscal responsibility that we haven't been
8 able to do some things that we'd like to do.

9 The 911 district, right now, current
10 has -- we have two full-time employees. I'm talking about
11 dispatchers. Two full-time dispatchers. We have six part
12 time.

13 When we left the Sheriff -- when we
14 left the Criminal Justice Complex -- it's the County's
15 building. But when we left that building the Ambulance
16 Authority stayed with the Sheriff, as did some of the other
17 entities. Now the ambulance -- the ambulance has come back
18 with us.

19 So we are now direct dispatching the
20 Ambulance Authority of the county. And we also direct
21 dispatch the County's Volunteer Fire Department. There is
22 talk, rumor, that we will eventually have all the fire
23 departments. And we have an election coming up, this year,
24 with our sheriff.

25 You might imagine -- I don't know

1 whose side our board will be with the sheriff issue, but until
2 that happens, this is where we are.

3 CHAIR PORTER: So you-all dispatch to
4 the ambulance services and the fire department. Do they fund,
5 do they put money back in 911?

6 MR. GAY: No, sir. The Ambulance
7 Authority -- even in the five-year agreement, the Ambulance
8 Authority did not participate monetarily, nothing came out of
9 their budget. See, that's my county executive. And he's
10 good.

11 CHAIR PORTER: What you're looking at
12 here is free money. \$50,000 to put together a GIS mapping
13 system, that a county your size, if you've only got two
14 full-time dispatchers, you should be able to do easily, and
15 probably have money left over.

16 And to hit on what Mike said to Joe of
17 Haywood County, you've lost \$20,000 in revenue to your county
18 that could have been going to help keep up the GIS system, and
19 then you could be using that money somewhere else then.

20 MR. GAY: One of the things that we've
21 done is, we let Interact, GeoConex, and TripleA -- to do a
22 presentation. We have a mapping system. It's a map info
23 program. And I wanted these three companies -- that's who
24 we've sent RFPs to -- to show my board our county. I didn't
25 want to see Fulton County, Georgia. Because it doesn't mean

1 that much to my county, to my people not to see their own
2 stuff, in my estimation.

3 That material was sent out to GeoConex
4 in October of last year. And I've still heard nothing back
5 from them.

6 Interact received it in November. And
7 Interact came to present a proposal to us. And on the night
8 that they came in, their vehicle was broken into and laptops
9 were stolen that had our stuff on it. Yes, when it rains it
10 pours, apparently.

11 TripleA was given my same map info
12 program. TripleA came in and did a presentation and showed me
13 some of the stuff -- and some of my board members -- what it
14 would do.

15 So they're getting a better
16 understanding. I mean, a GIS system, is a GIS system. You
17 guys know it, and I know it. It's all going to do the same
18 thing. It's going to fly. It's just the bells and whistles
19 that go with it. We don't want to look at a lot of bells and
20 whistles, we want everything to explode on the screen like
21 it's supposed to. As you can tell, we can't afford the bells
22 and whistles because we can't get the CAD system to go with
23 it.

24 So we're in a process. We're behind
25 with you guys. As Mike's going to tell me, we have lost that

1 money.

2 We have just -- Lauderdale County, we
3 have never come to you guys before. We try to do everything
4 within our own budget, which is just strictly cell money and
5 the landlines. We're not supplemented by anybody else.

6 When we had the five-year agreement we
7 were a little flushed. And with that, we had to do things
8 within the Sheriff's Department that he didn't have when we
9 took over. Like secure the area, purchase two more computers,
10 purchase another radio system. We put the first county-wide
11 coverage radio frequency in the county. Our county wasn't
12 even covered completely by one.

13 CHAIR PORTER: Operating, trying to --
14 saying that, you know, we're operating with no help from
15 anybody and everything, that may sound good, but in reality,
16 are the citizens of your county getting the services they
17 should be getting? And right now the answer to that is no.

18 Because if you get a 911 call there,
19 and you're not plotting it on a map, you're not getting the
20 Phase 2 information, then, you know, they're not getting the
21 same level of service as if they're over in Tipton or down in
22 Shelby or any of the other counties around.

23 I guess, bottom line, we need to move
24 on. No excuse, then, other than all the turmoil you've had
25 going on?

1 MR. GAY: There's that, and the fiscal
2 end of it. And like you-all said with Joe, the fiscal end
3 you've already taken care of.

4 CHAIR PORTER: We hear rate increase
5 requests all the time. We've approved 53, already, for other
6 counties. Maybe that is something you-all need to look at if
7 you're having problems.

8 MR. GAY: And we passed a referendum.

9 CHAIR PORTER: What's your rate at
10 now?

11 MR. GAY: \$1.25 for residential.
12 \$2.25 business. We've still got some money. And I'll
13 probably be back here, again, looking for that ceiling.

14 CHAIR PORTER: You've heard from
15 Lauderdale County. Any questions of Lauderdale or discussion
16 or a motion from the Board?

17 MEMBER LOWRY: Do you have a pending
18 contract, Jonathan?

19 MR. GAY: No contract. We will make
20 a -- the RFPs come out. TripleA responded. Interact's not.
21 GeoConex is not, as far as responding. The fourth Monday in
22 February we'll let a contract -- we'll accept the bids. The
23 schedule I have -- I think that's the 27th. Don't hold me to
24 that. But it's the fourth Monday in February. And we've
25 asked them to do it by June the 1st.

1 MEMBER MOODY: By June the 1st?

2 MR. GAY: Yes. See, we've got a lot
3 of data, already, in the map info program, a lot of the
4 mapping part of it.

5 CHAIR PORTER: You need a lot of the
6 software --

7 MR. GAY: The conversion. It's the
8 conversion that we need. So I don't think our process is
9 going to be as long as, say, somebody starting from scratch
10 because of the program that we already have.

11 MEMBER MOODY: Do you feel that you
12 have all the resources to be able to sign that contract on
13 February 27th?

14 MR. GAY: Yes, ma'am. I mean -- we
15 haven't seen the bid, of course. But everybody that bids GIS
16 knows that this body is putting \$50,000 out there to pay for
17 it. So they're going to come in under the 50,000, I'm sure.
18 Even from the two positions that we want. I'm sure the bid
19 process will come in under.

20 If it doesn't, it is going to put a
21 strain on us. I have a financial report here that will show
22 you that last year we made \$224. That's what we had over
23 expenses. We can't do a whole lot with \$224. So we have to
24 consider that.

25 But I don't believe any GIS coming in

1 will be anywhere near the 50,000. Probably -- it may be near
2 45-, 47-.

3 MEMBER MOODY: Mr. Chairman, I believe
4 we, in essence, set a precedent a while ago when we made the
5 motion for Haywood County. I would move that we treat
6 Lauderdale County in the same way. And all the conditions and
7 provisions and time frames that we set for Haywood would also
8 apply to Lauderdale.

9 MR. GAY: July 31st? July 31st?

10 MEMBER MOODY: And the penalties,
11 also. That's a motion.

12 MEMBER TAYLOR: I'll second that,
13 Mr. Chairman.

14 CHAIR PORTER: Discussion on the
15 motion?

16 MEMBER LOWRY: With that, I guess, is
17 that Rex will be meeting with Jonathan to be sure --

18 MR. GAY: I've been getting Rex
19 secondhand because he's been going through Joe, and I've been
20 going through Joe.

21 MEMBER LOWRY: As long as Staff knows
22 what's going on.

23 CHAIR PORTER: Keep Staff updated as
24 to what your progress is.

25 MEMBER COBB: To clarify, I believe

1 the date is July 30th.

2 MR. GAY: July 30th. We got in our's
3 to try to have it by June 1st. So we should fall well within
4 the time.

5 CHAIR PORTER: Anything you can do to
6 get it done faster is great.

7 MR. GAY: Well, that's one of the
8 things we're going to mention.

9 CHAIR PORTER: Just let them know if
10 you go past July 30th you start losing money.

11 MR. GAY: I'm going to mention that
12 they'll be here the next time.

13 By the way, the accommodations you-all
14 made for me were great. Thank you.

15 CHAIR PORTER: Other discussion?

16 MEMBER TAYLOR: I would just say to
17 Jonathan -- he wasn't here for the first part of the meeting.
18 But, Jonathan, I'm aware of your situation, being my next-door
19 neighborhood also. There's about \$490,000 in addition to this
20 GIS plan for consolidation. \$490,000.

21 MR. GAY: Who am I going to
22 consolidate with? I understand the \$300,000 --

23 MEMBER TAYLOR: I understand. Like I
24 mentioned on the front end, I understand your elected official
25 situation. But I just want to make sure you understand, this

1 Board voted today, there's \$490,000. That should be a lot of
2 incentive.

3 MEMBER LOWRY: Some of that you can
4 use without consolation.

5 CHAIR PORTER: You'll be getting a
6 letter, if you'll read closely what the Board has done.

7 MR. GAY: But the consolidation you're
8 talking about are districts --

9 CHAIR PORTER: Right.

10 MR. GAY: Not entities?

11 CHAIR PORTER: Right.

12 MR. GAY: We're the only district.

13 CHAIR PORTER: You've got surrounding
14 county districts.

15 MR. GAY: We're the only PSAP.

16 CHAIR PORTER: You've got surrounding
17 county districts, though.

18 MR. GAY: Right. Right. That is
19 true. As a matter of fact, Joe and I have discussed that.

20 CHAIR PORTER: We need to move on.

21 Any other discussion?

22 (Pause)

23 CHAIR PORTER: Hearing none, all in
24 favor say "aye."

25 THE BOARD: Aye.

1 CHAIR PORTER: All opposed, like sign.

2 (Pause)

3 CHAIR PORTER: Motion carried.

4 Thank you, Jonathan. We know it took
5 a lot to get you down here, today.

6 MR. GAY: May I say something off the
7 record?

8 CHAIR PORTER: Very quickly. No,
9 everything is on the record.

10 MR. GAY: This is about directions.
11 You can't get to James Robertson Parkway off of 40.

12 (Laughter)

13 MR. GAY: But next time, Lynn -- and
14 by the way, it's nice to meet you. And I hate to do this on
15 the record. But you have to get on 65. Okay?

16 MS. QUESTELL: My husband would agree
17 with you. I'm really bad with directions. I'm sorry.

18 CHAIR PORTER: Thank you, Jonathan.

19 (Pause)

20 CHAIR PORTER: Anything else that
21 needs to come before the Board?

22 Meeting dates. Our next meeting date
23 is April the 20th. And then do we have one set after that?

24 MS. TELFORD: May 25th.

25 MS. QUESTELL: TACIR hasn't set up a

1 meeting date yet. So we were flying in the dark here. You
2 may want to wait until the next time before we set -- we've
3 reserved those dates.

4 CHAIR PORTER: You already have those
5 date reserved.

6 MS. QUESTELL: And we can just make a
7 decision after we hear what TACIR is going to do.

8 CHAIR PORTER: Did everybody hear
9 those two dates? Two possible dates. You may want to say them
10 again.

11 MS. TELFORD: May 25th, June 9th.
12 There's also an August date.

13 MS. QUESTELL: But we do need to keep
14 in mind we're going to want to meet to talk about the funding
15 committee.

16 CHAIR PORTER: August 17th.

17 CHAIR PORTER: We might want to go
18 ahead and set the August meeting. We normally have an August
19 meeting, don't we, every year?

20 MS. QUESTELL: I didn't last year.
21 But it would be wise to do that.

22 CHAIR PORTER: Set for August or
23 September, for the meeting? Does it make a difference?

24 MS. QUESTELL: May I ask? Don, you're
25 going to be having major auditing stuff, would the August date

1 work for you?

2 MR. JOHNSON: Yeah, that would be
3 fine.

4 MS. QUESTELL: Okay.

5 CHAIR PORTER: We'll set August 17th
6 as a meeting date, then. Is that a Thursday?

7 MS. QUESTELL: Yes.

8 CHAIR PORTER: Okay. 9:00 a.m. And
9 then we'll leave May 25th and June 9th open until we hear from
10 Lynn.

11 MEMBER MOODY: I might say, if we need
12 to meet for the Hawkins County situation, Mike and I -- Mike,
13 I'm speaking to you. You and I will be over here for another
14 meeting on March 14th and 15th.

15 MEMBER TAYLOR: Aren't we lucky.

16 MEMBER MOODY: Pardon?

17 MEMBER TAYLOR: Aren't we lucky.

18 MEMBER MOODY: But if we could do it
19 around that time. Maybe the afternoon of the 15th, if we have
20 an emergency.

21 CHAIR PORTER: Any other items that
22 need to come before the Board?

23 MEMBER LOWRY: At the TENA meeting
24 yesterday -- or Tuesday, they asked myself and Freddie to
25 update the Board that at that meeting Williamson County

1 presented some information to the Board that they were
2 collecting -- or trying to go forward in pursuing uncollected
3 revenues from different telecoms. Also, the main thing was
4 trying to get line counts. And they voted at that meeting to
5 go on record in supporting this effort. And they wanted us to
6 report to the TENA board -- I mean, to the TECB board so that
7 you-all would be abreast of what's going on with that process.

8 I gave Staff a copy of the letter of
9 such.

10 CHAIR PORTER: Everybody has got a
11 copy, you can take a look at it.

12 Anything else?

13 (Pause)

14 CHAIR PORTER: Hearing nothing.

15 MEMBER RICH: Move to adjourn.

16 CHAIR PORTER: So moved.

17 (End of the proceedings.)

18

19

20

21

22

23

24

25

1 REPORTER'S CERTIFICATE

2

3 STATE OF TENNESSEE)
4 COUNTY OF SUMNER)

5 I, Denise Harwood-Stacy, Court Reporter and
6 Notary Public for the State of Tennessee,

7 DO HEREBY CERTIFY that the forgoing
8 transcript of the proceedings were taken on the date and place
9 set forth in the caption thereof; that the proceedings were
10 stenographically reported by me in machine shorthand; and the
11 foregoing proceedings constitute a true and correct transcript
12 of said proceedings to the best of my ability.

13 I FURTHER CERTIFY that I am not related to
14 any of the parties named herein, nor their counsel, and have
15 no interest, financial or otherwise, in the outcome or events
16 of these proceedings.

17 IN WITNESS WHEREOF, I have hereunto affixed
18 my official signature and seal of office this the 27th day of
19 March, 2006.

20

21 _____
22 Denise Harwood-Stacy,
23 Notary Public, State of Tennessee

24

25 My Commission Expires: March 3rd, 2007.